

WEDNESDAY, 1ST JUNE, 2016

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

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

All Honourable Members were present, except the Honourable Prime Minister and Minister for *iTaukei* Affairs and Sugar; the Honourable Minister for Foreign Affairs; the Honourable Minister for Youth and Sports; and the Honourable Minister for Health and Medical Services.

MINUTES

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

That the Minutes of the sitting of Parliament held on Tuesday, 31st May, 2016, as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Acknowledgement of Hon. Members and Visitors in the Gallery

HON. SPEAKER.- I welcome all Honourable Members to this sitting of Parliament. I also warmly welcome the final group of students from Gospel High School.

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

PRESENTATION OF PETITIONS

Petition to Have Tuition Fee Free for Universities and Technical Colleges

HON. SPEAKER.- Before I give the floor to the Honourable Viliame Gavoka, I wish to advise Honourable Members that as the Standing Orders Committee has not been able to meet as yet, I request that the Members of the Business Committee to exercise their powers, pursuant to Standing Order

124(4)(a)(ii), by limiting debates on the petitions to 30 minutes, where the mover will get five minutes to speak on the petition and five minutes for the right of reply.

The remaining 20 minutes to be for other speakers, who will have up to five minutes only. When the time is exhausted, I will put the question to the floor and I now give the floor to the Honourable Viliame Gavoka.

HON. ROKO T.T.S. DRAUNIDALO.- A Point of Order, Madam Speaker.

HON. SPEAKER.- Point of Order.

HON. ROKO T.T.S. DRAUNIDALO.- I wish to note for the record, just on the announcement that you have made, that the NFP will not participate in this petition that is bound by shortened time limits.

HON. SPEAKER.- Thank you. The issue is noted. Honourable Gavoka, you have the floor.

HON. V.R. GAVOKA.- Madam Speaker, pursuant to Standing Order 37(5), I move that the petition be referred to the Standing Committee under which the subject matter of the petition falls and the subject matter is that...

HON. SPEAKER.- Can I just ask for a seconder?

HON. V.R. GAVOKA.-Oops! Sorry.

HON. SPEAKER.- Do you have a seconder?

HON. N. NAWAIKULA.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Before I call on the mover of the motion, I remind Honourable Members that the debate is on whether or not the petition should be referred to a Standing Committee. I now call on the Honourable Gavoka to speak on his motion.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. The subject of the petition, Madam Speaker, is that, we provide free tuition at our three universities and all technical colleges for all our students in our country.

Our three universities are the University of the South Pacific, the Fiji National University, University of Fiji and all the technical colleges which we believe when in full flight will number some 14, averaging about 400 students per college.

Madam Speaker, looking at the *USP's 2015 Annual Report*, the number of students at USP was 26,658 and the total tuition collected was \$53.9 million. Out of this, Madam Speaker, 59 percent are from Fiji. So, if you take 59 percent of \$53.9 million, that comes to \$31.8 million.

For FNU, Madam Speaker, the *FNU 2014 Annual Report* says that the number of students were 34,524. It is all 100 percent Fiji content and the total tuition collected was \$62.3 million.

The University of Fiji, Madam Speaker, has about 2,000 students and the estimated tuition is around \$5 million.

The technical colleges when in full flight as I said, would be about 14 with 400 per college and the tuition would be about \$10 million.

In all, Madam Speaker, we are talking about \$110 million that we pay to provide free tuition to our students all over Fiji in all our universities and in all our technical colleges. The question, Madam Speaker is, can we afford it? Yes, we can.

Madam Speaker, we are beginning to collect revenue at a record level, especially indirect taxes. During the period of the Chaudhry Administration and the Qarase Administration, indirect taxes came to about \$460 million. Today, Madam Speaker, it is \$1.3 billion.

VAT, Madam Speaker, is the most efficient way of collecting revenue and we are getting better at it. So, in the future, VAT collection will increase, contributing to the Government revenue. And then we ask the question, where do we cut, to enable our students to attend, tuition free?

Madam Speaker, two agencies that we believe are carrying a lot of budget are the Fiji Roads Authority. For this year, we have allocated \$651 million for them. We believe, Madam Speaker that we allocate \$300 million per year to FRA and we will have good roads and the envy of everyone in the developing world over the next 10 years. Madam Speaker, \$300 million per year is \$3 billion over 10 years.

I saw here a supplement on 7th May in the *Fiji Times*, where the Fiji Roads Authority have said and I quote:

“We have a 10 year plan to fix roads.”

It is right here, the Fiji Roads Authority said this in the *Fiji Times*. And this is what we said last year in the Budget; “Do not rush it, do it properly.” The Fiji Roads Authority must have heard SODELPA, the wisdom we expressed and we said “Do it properly, do not rush it”. Over a 10 year period, it is \$3 billion worth of roads and that will be the envy of any of the roads in any developing country.

Madam Speaker, the Water Authority of Fiji (WAF) has a budget of \$250 million, reduce it to \$150 million, Madam Speaker, \$150 million in a year and \$1.5 billion over 10 years, that will bring water, portable safe water, to everyone in this country in over a period of 10 years.

Madam Speaker, that is where we are coming from, we can afford it and imagine in 10 years' time, the number of graduates, the number of qualified people, the energy that they will inject into the economy of this country, in every aspect of it will lift this country to a level that we have only dreamt of in the past.

Madam Speaker, this needs to be taken up with the Committee of Parliament. We need to embrace this for the sake of our youths going forward; they are our future; they are the promise of prosperity and peace for our country; and I think this Parliament, Madam Speaker, should embrace this and set an appropriate Committee to have hearings on this subject. Thank you, Madam Speaker.

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, I think the Opposition feels that they may be losing ground with the youths of Fiji that is why they brought this ridiculous motion - preposterous

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- The Honourable Leader of the Opposition was the Minister for Education under the previous government and she did not see it fit to bring it then. They are now, Madam Speaker, talking about bringing university education to be completely free.

(Hon. Member interjects)

HON. A. SAYED-KHAIYUM.- Let me bring about a few points and I will position this in respect of, for example, the roads and bridges.

Madam Speaker, all countries in the world, some countries do not have free university at all. Some have a loan scheme, some loan schemes are very, very onerous and others are not, and the loan scheme that we have, Madam Speaker, under TELS, you do not pay any interest if you earn less than \$16,000 a year or your family earn less than \$16,000 a year. If you are at the top end, you pay 1.5 percent interest rate that is still by any standards a very low interest rate, Madam Speaker. The reality, as the Honourable Minister for Education has highlighted in this honourable Parliament that there are now more students in Fiji being assisted through the TELS and the scholarship programme and now ...

(Hon. Member interjects)

HON. A. SAYED-KHAIYUM. - ... the technical colleges more than ever before. The comparison to what we have now, Madam Speaker, to what used to happen before, you had literally thousands and thousands of youths of this country not being able to access tertiary education because there was no other means to do so, only the small scholarship schemes that were available.

Today, we are now, we have doubled, if not, more than doubled the number of youths who are in the tertiary education system. That is the reality and we do have to live within our means. It is fascinating to hear the Honourable Member talk about \$300 million will make our roads a modern day system or modern day road system. Of course, we have a 10 year plan but the 10 year plan is to play catch up with the amount of neglect that took place.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- Madam Speaker, a classic point is the Tamavua-i-Wai Bridge. The Tamavua-i-Wai Bridge was only built a few decades ago. Why is that bridge collapsing now, when engineering standards tell us that bridges are meant to last for 80, 90 years, at least?

You have bridges that were built by the FSC in the Western Division that till today are standing; trucks passing over them, but we have bridges collapsing in Vatuwaqa, Stinson Parade, Tamavua-i-wai River. Why? Because there were no proper engineering standards, not enough money was put in because there was corruption. That is the issue, Madam Speaker.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- So in order to bring these roads, Madam Speaker, up to standard, there needs to be a concerted effort and the amount of money being spent to ensure that not just the roads and bridges, but all the infrastructure that needs to be fixed. The budget is about balancing the act, it is about ensuring that we are able to focus on areas.

Honourable Radrodro talks about having shipping services in the maritime areas. We talk about assistance to the maritime areas, all of these, Madam Speaker, cost money. Now, if you are going to make tertiary education, for example, completely free, what about those students who use our resources, our university, the moment they get their graduation, they migrate? Who is going to get the money back from them? These are taxpayers' money. They need to be able to use those resources, the knowledge that they have gained, in Fiji.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- If they want to migrate, they pay for it before they migrate. That is the reality of how we need to deal with our resources, it is not willy-nilly, trying to buy votes, that is what they are trying to do.

(Laughter)

HON. SPEAKER.- Honourable Bilitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. I rise to support the petition before the House, to allow free tuition for all universities.

Currently, the Government is conducting a public budget submission, conducted by the Honourable Attorney-General and Minister of Finance and he is encouraging people to bring in proposals and submissions to help him construct the budget. But again, Madam Speaker, this is part of it and the Honourable Attorney-General does not open up to other alternatives that will be given by the people. Government has already made up its mind in regards to what balancing act they want to do. These are some of the things and that how can they involve people to be true to their words and how can they guarantee people coming to make submissions that their submissions will be taken into account by the Government.

The other thing, Madam Speaker, it is very important that most of our students, especially indigenous students, who cannot afford tertiary institution fees, most of them have gone through universities and they cannot graduate when it comes to graduation time. The Honourable Minister for Lands would agree with this that there was a particular student in Labasa who came to seek her help and not only that, he came to the Honourable Prime Minister and the Honourable Prime Minister helped. And this kind of petition, Madam Speaker, would help these kind of students who are unable

to pay their fees, to allow them for graduation because it will be free. It is very logical, Madam Speaker.

These are some of the areas, and yesterday also, the Honourable Leader of the Government in Parliament had stated in this House with conviction that the Government is focussing on cultivating the people, and this is a motion that we are going to cultivate the people and our human resource, to lift up the intellectual capability of our people so our people can be qualified, so we do not need to get expatriates from overseas. We can have our local people to fill up the jobs here and to secure markets.

We have all these kind of products being introduced by the Government, even the Fiji Made product. Madam Speaker, that should be available for us, they cannot just comprehend what they are doing and the intentions of this petition.

These are some of the things that the Government needs to keep still and think properly about, and why this particular motion should be taken to the Committee and for the Committee to deliver it, because this is a share of opinion from the population who voted us into Parliament. That is why this particular petition has to be taken to the Committee and let the people speak, let the people be heard and let the people make submissions.

One of the problems with the FijiFirst Government is that they think that they have a solution to everything.

(Laughter)

That is their biggest problem.

HON. OPPOSITION MEMBER.- Know it all, know it all.

HON. M.D. BULITAVU.- That is one of the weaknesses in all political leaderships in the world. One of the failures in all of the leaders, Madam Speaker, is when they think that 'I am the only person who knows the answers.'

(Laughter)

Madam Speaker, that is my short contribution and I ask the Government to reconsider their position and support the motion because it will benefit not only our youths, but those who would be filling up leadership positions in this nation and also to our future members of Parliament. Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Dr. Mahendra Reddy.

HON. DR. M. REDDY.- Madam Speaker, I rise not to support the motion of taking the petition to the Committee. This week, we saw a lot of political stunts from the other side.

(Chorus of interjections)

HON. DR. M. REDDY.- Full of drama kings. A lot of 'Drama Kings' on the other side.

Madam Speaker, where were they when our little kids who wanted to go to kindergarten (Early Childhood Education) could not pay their fees and they had to stay home? Where were they? Where were they when our children wanted to go to primary school ...

(Chorus of interjections)

HON. DR. M. REDDY.- ...but they could not pay their fees, where were they? They were leading the government. The former Honourable Minister for Education, sitting there, what was she doing?

(Chorus of interjections)

HON. DR. M. REDDY.- Madam Speaker, our children could not go to high school because they could not pay their fees. This Government came and made

(Chorus of interjections)

HON. DR. M. REDDY.- This Government. Where were they? What were they doing at that time, Madam Speaker?

(Chorus of interjections)

HON. DR. M. REDDY.- Madam Speaker, school managers were sending children back home from school, they were going home because they were turned back, because they could not pay their fees. Where were they?

Madam Speaker, parents from the North, parents from Labasa used to come and look for a place where their child could stay with some relatives so that they can go to USP or FNU. Where were they? No. Madam Speaker, no longer they have to do that, because they are all catered for in our financial scheme, Madam Speaker.

Madam Speaker, unfortunately, it is the lack of international knowledge that they are saying, other countries are writing to me, asking me to give them a copy of our financial scheme, Madam Speaker, so that they can emulate in their country. No other country in the small States region; Pacific, African and Caribbean region have this financial model, Madam Speaker, which allows every child to get at least first degree, without having to worry about who will pay their fee, Madam Speaker.

Madam Speaker, what is the benefit of free education? Madam Speaker, you want to go to the shop to buy bread. If the shopkeeper asks you, should you pay money upfront? That is not free, Madam Speaker, but if you have to go to the shop to get that particular product, you do not have to worry about who is paying, Madam Speaker, that is free.

Madam Speaker, no longer a child has to worry about how or who will pay their fee as long as the child gets admission to USP, or FNU or University of Fiji or a Technical College, Madam Speaker.

Madam Speaker, we have also recognised our Toppers, our great minds who are the ones who will be pushing the frontier, Madam Speaker. Therefore, we have got a policy for them, to look after them, so that these are the people who will come and push the frontier in this country, Madam Speaker.

I cannot see any Toppers on the other side, Madam Speaker, I cannot see, Madam Speaker.

(Laughter)

HON. DR. M. REDDY.- If there was any Toppers from the other side, Madam Speaker, they would not have raised this issue of petition, unfortunately, we need to have some Toppers there, Madam Speaker, I tell you in another ten years' time, five years' time, there will be some Toppers sitting that side but they will be part of this Government, Madam Speaker.

(Laughter)

HON. ROKO T.T.S. DRAUNIDALO .- ... fool.

HON. A. SAYED-KHAIYUM.- Hey, do not call him a fool. Do not call him a fool!

HON. DR. M. REDDY.- Madam Speaker, as the Finance Minister has said, is the last ...

Madam Speaker, I was a Topper.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- Madam Speaker, point of order. Hon. Draunidalo called the Minister for Education "a fool".

HON. ROKO T.T.S. DRAUNIDALO. - And he provided worse in his speech, calling us "dumb natives, you idiot".

(Chorus of interjections)

HON. SPEAKER. - Honourable Dr. Mahendra Reddy, as I had mentioned before, as I had mentioned previously, if someone says anything that is offensive to another Member, it is only if that Member brings up a point of order that he rejects that statement, and I will ask for withdrawal. This time, Dr. Mahendra Reddy was the target and he continued without reacting to that statement, so please, continue.

HON. DR. M. REDDY. - Madam Speaker, as the Minister of Finance has alluded to earlier on, for the last 40 years of neglect, we are playing a catch up game now, Madam Speaker. Unfortunately, they do not understand the economics of how, when you have a limited pool of resource with unlimited demands and wants, Madam Speaker, we have to do the delicate job of allocating these resources, Madam Speaker. That is what we are doing, Madam Speaker. Madam Speaker, unfortunately, they do not have any knowledge about public finance and that is why these kind of irresponsible motions are brought to the Parliament, Madam Speaker. We do not support this motion, thank you, *vinaka*.

HON. SPEAKER.- I now give the floor to the Honourable Leader of the Opposition.

HON. RO T.V. KEP A.- Madam Speaker, I support the motion that is before the House, which is tuition free education for our young students, some of whom are sitting there in the gallery ...

(Hon. Member interjects)

HON. RO T.V. KEP A.- ... and we have welcomed this past week, students from Gospel High, and it is good that they come to Parliament to hear what we are debating. Sometimes, very important motions on their own future and this is one such motion, Madam Speaker.

In our own province, I think, with the Honourable Minister for Education, he is always full of drama, Madam Speaker.

(Hon. Members interject)

HON. RO T.V. KEPA.- I think what he should do, which we have been alluding to and suggesting and proposing to him, for this half of the term that we are now here in Parliament, is that he needs to call for an Independent Education Commission, then he will know what the reality is on the ground and what is needed and required in our country, in terms of the education for our young students.

In my own province, Madam Speaker, 50 percent are youths. Most cannot afford higher education because they have a subsistence lifestyle and so they are looking to us, to help support them with their dreams and their aspirations, Madam Speaker.

(Hon. Members interject)

HON. RO T.V. KEPA.- We have done the figures on this side and we have seen that most of our young people, they are promising young people, Madam Speaker, but because of lack of finances and resources from their own families, they cannot send them to university or to the technical colleges.

So, Madam Speaker, this is why we are bringing this motion before this House. We know the allocations that have been made to the Fiji Roads Authority, the Water Authority of Fiji and the other allocations that have been made, Madam Speaker, over and above what is needed and required for our young people in terms of their education.

The Honourable Minister for Education has spoken on the Toppers. On the Toppers Scholarship and the TELS, Madam Speaker, not even 10 per cent of our young people are allocated the scholarship or the Loan Scheme from those two, Madam Speaker, which means that over 90 per cent of the young people, they fall through the cracks and if we do not look after them, we are looking at the literacy rates, Madam Speaker, in the Pacific which used to be amongst the highest. Fiji used to be amongst the highest, but because of the education system, Madam Speaker, in terms of literacy and numeracy, that is faster falling and we are not amongst the top countries now in the Pacific, Madam Speaker, so we really need to look at our education system.

Our 16 year-olds now, Madam Speaker, some of whom are sitting there in the gallery, if we do not provide them a better education through this motion that we have before the House, what would happen to them in 10 years' time when they are 26; in 20 years' time when they are 36; and in 20 to 30 years' time, Madam Speaker? What will happen to them?

We will have these young people, who are not able to realise their potential, Madam Speaker, and this motion is not just for our SODELPA people, it is also for FijiFirst, it is for everyone in this country.

(Hon. Member interjects)

HON. RO T.V. KEPA.- Madam Speaker, so in terms of this motion before the House, I would ask the other side to have a heart, especially the Attorney-General who is looking at me, I know he has a good heart, but he should also support this motion before the House, Madam Speaker.

So I support the motion before the House and that it should go to a Standing Committee so that people are heard, particularly the young people of this country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Viliame Gavoka for his right of reply.

HON. MEMBER.- *Sa oti?*

MADAM SPEAKER.- You have expired your time.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. Thank you for the contribution from my colleagues. Madam Speaker, if this Government cannot upgrade the roads to international standard with \$3 billion, we need a change of government. If this Government cannot provide clean water for everyone in Fiji with \$1.5 billion, they need to be given the flick in 2018.

(Chorus of interjections)

Madam Speaker, the loan scheme is a disaster. It will pitch communities against each other because some communities will carry the burden of this loan, and you know, Madam Speaker, let us not be naïve, come a time when people are going to say, “Who is carrying the most burden with loan scheme?” It will be very naïve to say that, we will live happily ever after over this, Madam Speaker.

Today in America, Madam Speaker, we have two people running for the democratic ticket, Secretary Clinton and Senator Sanders.

(Hon. Members interject)

HON. V.R. GAVOKA.- Secretary Clinton was a presumptive nominee, everyone else thought was going to walk in, but this unknown Senator had come up and is giving Secretary Clinton a really good run for her money. She will win, but what did Senator Sanders come up with? Free Tuition in colleges across America and the youths in America are energised behind Senator Sanders. While Secretary Clinton says; “We will make it affordable”, Sanders is saying; “We make it free”. So, I would warn FijiFirst, “You ignore this at your peril”.

(Chorus of interjections)

HON. V.R. GAVOKA.- The youths of this country will give you the flick in 2018.

Madam Speaker, in Sri Lanka, there are 20 million people and 15 universities, and university tuition is free. Sri Lanka, Madam Speaker. We have lots of them in Fiji, we admire them, we admire the qualities they have, it is because of free education. Our people, even if they go overseas, they are going as Fijians, educated in the top universities in Fiji, flying the flag for this country, like the Sri Lankans are doing all over the world today.

(Chorus of interjections)

HON. V.R. GAVOKA.- Madam Speaker, let us remember that free education conveniently came just before the Elections. Do you remember, Madam Speaker, the Free Education was really an SDL initiative.

(Laughter)

They could have done it in 2007, they could have done it in 2008; they could have done it in 2009, they could have done it in 2010; when did they do it? Just before the Elections. Just before the Elections!

(Chorus of interjections)

HON. V.R. GAVOKA.- When did they start talking about infrastructure? Just before the Elections. Just before the Elections, Madam Speaker.

(Chorus of interjections)

HON. V.R. GAVOKA.- So, Madam Speaker, here is a petition, here is a motion for our youths of Fiji.

(Laughter)

Let us carry them, let us carry them with us, Madam Speaker. They are our future. We are setting something. Imagine, Madam Speaker, in 10 years' time, starting from next year, any four-year student will have fee free tuition, every year, for the next 10 years. We will have graduates coming out of universities and by that time, we have a top class road system with \$10 billion to \$3 billion and a world class water system with \$1.5 billion. We marry the two, Madam Speaker, this would be a country, the envy of the Pacific and the envy of every developing country in the world.

Madam Speaker, I appeal to everyone here, think of our youths. Try and vote outside of your party, and try and vote with your conscience..

(Laughter)

... try and think of our youths and say, "Let us do it for our youths."

Madam Speaker, I commend this motion to be voted upon, and I would ask everyone to vote for it. Thank you, Madam Speaker.

(Applause)

Question put.

HON. SPEAKER.- Parliament will now vote, and the question is; "that the petition be referred to the Standing Committee, under which the subject matter the petition falls." Does any Member oppose the motion?

(Chorus of ayes and noes)

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

Question put.

Votes Cast:

Ayes	-	15
Noes	-	28
Not voted	-	7

HON. SPEAKER.- As there are 15 Ayes, 28 Noes, and 7 Not Voted, therefore, pursuant to Standing Order 37(6), it says that if it is less than the required 40 percent support, the motion is therefore defeated.

(Chorus of interjections)

Motion defeated.

HON. SPEAKER.- Honourable Members, before we go on to the next Item on the Agenda, I would just like to remind Members, please, we are in the Parliament and just be wary of the words that are being used. Let us use respectable words even though, I did not hear them. Yes, the debate has been very lively, we like lively debates, but just be careful on the words that are being used.

PRESENTATION OF REPORTS OF COMMITTEES

Report of the Standing Committee on Natural Resources on the Endangered and Protected Species (Amendment) Bill 2016

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Natural Resources to present his Report.

HON. CDR. J.R. CAWAKI.- Madam Speaker, the Honourable Acting Prime Minister, the Honourable Leader of the Opposition and Honourable Members of Parliament: I rise this morning to table the Natural Resources Committee Report on the Endangered and Protected Species (Amendment) Bill 2016 (Bill No. 6/2016).

Madam Speaker, if I may, before I table this Report to the House, I would like to thank my fellow Committee Members: the Honourable Ro Kiniviliame Kiliraki, our Deputy Chairman; the Honourable Alifereti Nabulivou; the Honourable Samuela Vunivalu; and the Honourable Jiosefa Dulakiverata.

On behalf of the Committee, I also extend my appreciation to the Permanent Secretary for Local Government, Housing and Environment; the Director of Environment and his team; the Solicitor-General's Office; stakeholders and the individuals for their submissions.

My appreciation is also directed to the hardworking Secretariat staff members namely; Mrs. Akanisi Rumasakea; Mr. Josua Namece; Ms. Shobna Rani; Ms. Heather Lyall (a consultant from the Scottish Parliament); Ms. Atelaite Leba; Mr. Kitone Bete and Mrs. Lavenia Ledua for their commitment and steadfast support rendered towards the production of this bipartisan Report.

Madam Speaker, the Endangered and Protected Species (Amendment) Bill No. 6 of 2016 has 26 pages at the most, with six main headings. The contents of the Endangered and Protected Species (Amendment) Bill No. 6 of 2016 were thoroughly scrutinised by the Committee. This Report examines and takes into consideration the written submissions and oral evidences received during the Committee's oral presentation week held in Parliament.

The amendment which appears in red in the text of the Bill for ease of reference has been the result of the hard work by the Committee and the Secretariat in consultation with the experts from the Department of Environment and the drafters from the Solicitor-General's Office.

Madam Speaker, the Endangered and Protected Species (Amendment) Bill of 2016 amends the Endangered and Protected Species Act of 2002 by adding more species for protection. The 2002 Act regulates the international trade, the domestic trade, possession and transportation of species protected under the Convention on the International Trade of Endangered Species and Wild Fauna and Flora, which is the CITES.

Madam Speaker, whilst analysing the Bill clause by clause, the Committee Members agreed anonymously through voting and made various amendments accordingly.

Madam Speaker, at this juncture, pursuant to Standing Order 121(5), I hereby table the Committee's Report on the Endangered and Protected Species (Amendment) Bill 2016 and pursuant to Standing Order 86, that it be set down for consideration by the Committee of the Whole on a future sitting date. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Please hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON SPEAKER.- Pursuant to Standing Order 121(5) and Standing Order 86, the Standing Committee has now reported back and the Endangered and Protected Species (Amendment) Bill 2016, Bill No.6 of 2016, will be set down for consideration by the Committee of the whole on a future sitting day.

HON. SPEAKER: I now call on the Chairperson of the Standing Committee on Social Affairs to have the floor.

Report of the Standing Committee on Social Affairs on the
Higher Education (Amendment) Bill, 2016

HON. V. PILLAY.- Thank you, Madam Speaker. Madam Speaker, it gives me great pleasure to present the Report of the Standing Committee on Social Affairs on the Higher Education (Amendment) Bill 2016, Bill No. 2 of 2016.

Madam Speaker, the Bill seeks to amend the Higher Education Promulgation 2008. In this regard, the Committee had called for submissions from the public through the advertisements in the two local newspapers - the *Fiji Times* and the *Fiji Sun* on Tuesday, 10th May; Thursday, 12th May; and Saturday, 14th May, 2016.

Due to the 30 days reporting deadline of the Committee to scrutinise the Bill and report back to Parliament, the Committee put Monday, 23rd May, 2016 as the closing date of all submissions. The Committee stuck to its work plan that was during the public consultations, and further in its deliberation of the Committee's resolution on the compilation of its Report.

The Committee wishes to acknowledge the assistance and support of the Fiji Higher Education Commission and the Solicitor-General's Office during the consultation process of this Bill. The Committee also acknowledges the proposed amendments and agreed to the amendments required in the Bill, given the various issues that are currently raised from the Education Sector. The Committee believes that this law will ensure good governance, productivity and quality education and training are given to individuals, who will have access to these higher education institutions.

The Social Affairs Standing Committee, after its careful examination of the Bill, it also considers all the stakeholders' views and resolved not to make any amendments to the Bill. The Committee had noted that all the issues and questions raised during the consultations were able to be clarified by the Fiji Higher Education Commission and the Office of Solicitor-General.

I wish to extend my heartfelt thanks to the Honourable Members who were involved in the production of this bipartisan report: my Committee colleagues: the Honourable Salote Radrodro, (Deputy Chairperson); Honourable Veena Bhatnagar; Honourable Anare Vadei; and Honourable Mohammed M.A. Dean.

I also thank the Honourable Ashneel Sudhakar, Honourable Alexander O'Connor and Honourable Ratu Sela Nanovo for their contributions and for availing themselves as Alternate Members for those Members who were unable to attend the Committee Meetings.

Lastly, I thank the Secretariat for the assistance provided during the Committee's deliberations.

On behalf of the Standing Committee on the Social Affairs, I commend this Report to Parliament.

Madam Speaker, at this juncture, pursuant to Standing Order 121(5), I hereby table the Committee's Report on the Higher Education (Amendment) Bill 2016, Bill No.2 of 2016 and pursuant to Standing Order 86, that it be set down for consideration by the Committee of the Whole on a future sitting day.

HON. SPEAKER.- Thank you. Please hand the report to the Secretary-General.

(Report handed to the Secretary-General)

Pursuant to Standing Order 121(5) and Standing Order 86, the Standing Committee has now reported back, and the Higher Education (Amendment) Bill 2016, Bill No.2 of 2016, will be set down for consideration by the Committee of the Whole on a future sitting day.

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

Report of the Standing Committee on Foreign Affairs and Defence on the
Ratification of the UN Convention on the Rights of Persons with Disabilities (UNCRPD)

HON. LT. COL. N. RIKA.- Madam Speaker, the Acting Prime Minister, the Leader of Opposition, Honourable Ministers and Members of Parliament: I am pleased to present this Report of the Standing Committee on Foreign Affairs and Defence, which was assigned to review the proposal made by the Fiji Government in ratifying the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). This Report recommends that the Fiji Government ratifies the UNCRPD.

This Report provides a summary and examination of written submissions and oral evidence heard at the Committee public hearings in May 2016, 99 percent of which were in favour of ratifying the UNCRPD without reservations, except for the final written submission made by the “Youth Integrity – Transparency International” had a few reservations.

The Report is divided into Chapters:

- Chapter 1 covers the role and responsibilities of the Standing Committee and the inquiry process in undertaking a review of the UNCRPD.
- Chapter 2 provides a brief overview of the UNCRPD and includes a list of written and oral submissions received by the Committee.
- Chapter 3 details the Standing Committee’s observations and areas of concern; and
- Chapter 4 provide a summary of the UNCRPD Articles.

Section 70 of the Constitution of the Republic of Fiji and Standing Order 109(2)(c) and Standing Order 110(1)(c) of the Parliament of the Republic of Fiji stipulates the roles and functions of the Parliamentary Standing Committees in order to enhance transparency of, accountability by public agencies and officials.

The purpose of this Report is to recommend that the UNCRPD be ratified. The Report also makes recommendations to the Fiji Government, as highlighted in the ‘List of Recommendation’ page.

The Committee held its first meeting on 11th May, 2016 and in response to a call for submissions, held a series of public hearings from 16th May to 25th May, 2016, on whether or not to recommend to Parliament that UNCRPD be ratified.

On behalf of the Honourable Members of the Committee, I would like to express my sincere appreciation to all those organisations and individuals, who have made a submission and/or attended public hearings. The strength and in depth of the Standing Committee’s inquiry rest with the voluntary commitment and time of groups and individuals making submissions and appearing at public hearings.

I also wish to extend my appreciation to the Honourable Members and the Secretariat involved in the production of this bipartisan report. My Committee colleagues: the Hon. Ratu Isoa Tikoca,

(Deputy Chairman); Hon. Alexander O'Connor (Member); Hon. Mataiasi Niumataiwalu (Member); Hon. Roko Tupou Draunidalo (Member); and Hon. Jilila Kumar and Hon. Anare Vadei, who attended our Committee Meetings as Alternate Members.

I commend this Report to Parliament for its consideration, which I hope will be useful to all the Honourable Members when they vote on whether or not to approve the Convention when the Honourable Attorney-General moves the motion, pursuant to Standing Order 130 (4).

Madam Speaker, at this juncture, pursuant to Standing Order 121(5) and Standing 130(3), I hereby table the Committee's Report on the United Nations Convention on the Rights of Persons with Disabilities.

HON. SPEAKER.- Thank you, please hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. SPEAKER.- Pursuant to Standing Order 121(5) and Standing Order 130(4), the Standing Committee has now reported back.

We will move on to the next Item in the Order Paper. The first oral question for today, I invite the Honourable Prem Singh to ask his question.

QUESTIONS

Oral Questions

Progress of Investigations – South African Diplomat (Question No. 92/2016)

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

Would the Honourable Minister for Defence, National Security and Immigration inform Parliament, what has been the progress of investigations in the case of the South African Diplomat, who had caused the death of Ashneel Singh by dangerous and drunk driving in October last year, and whether the family of Ashneel Singh has been compensated by the South African Government?

HON. SPEAKER.- I give the floor to the Minister for Defence, National Security and Immigration.

HON. CAPT. T.L. NATUVA (Minister for Defence, National Security and Immigration).- Madam Speaker, I wish to thank the Honourable Member for the question. I think this is the second time he has asked the question and were answered.

Firstly, I wish to reiterate the Government's condolence towards the family of the late Ashneel Singh. Madam Speaker, adequate investigation on the death of the late Mr. Ashneel Singh had been

completed and submitted to the Director of Public Prosecution, and it is out of the Fiji Police and Ministry's hands.

I would like to note, Madam Speaker, that even if a result was produced from the Director of Public Prosecution Office (DPP), it will rely on the advice and work of the Ministry of Foreign Affairs, given the diplomatic cover under the Fiji Diplomatic Privileges and Immunities Act of 1972.

The Diplomat who was involved apparently had passed away in South Africa. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Supplementary question, the Honourable Prem Singh.

HON. P. SINGH.- I have a supplementary question, Madam Speaker; in the event (as the Honourable Minister has alluded to) that the DPP's advice and his investigations and whatever report comes out of that, and if it is protected under the Vienna Convention, what is the recourse that the victim's family have in terms of compensation and justice?

HON. SPEAKER.- The Honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, the Fiji Police Force has made the submission to that and we do not have any other means of trying to come up with a solution of what would be the compensation, it is in the hands of the court.

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

HON. N. NAWAIKULA.- We know the effect of Immunity but does the recommendation contain compensation, in any event?

HON. SPEAKER.- Thank you, Honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, at this point in time, I do not have the answer to your question, but I can go back and will provide an answer later on.

HON. SPEAKER.- Thank you. I reckon the answer can be provided in writing to the Honourable Member who is asking the question.

HON. CAPT. T.L. NATUVA.- I can do that, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Bulitavu.

HON. M.D. BULITAVU.- Madam Speaker, given that the answers given by the Honourable Minister that it will all rely on the immunity covered by diplomats, but this is the first case, I suppose, that has happened in our country in regards to a person working in a Diplomatic Mission here has been involved in a road accident.

Can the Honourable Minister outline or inform the House whether the Department of Police or the Fiji Police Force has carried out some awareness and even talks with other diplomats in regards

to these kind of issues, not to be repeated or the other things that can be considered by those who are in our country with regards to offences they have committed in terms of the law of Fiji?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, as far as I am aware, there is nothing been done in regards to awareness to other diplomats at this point in time.

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

Trade Facilitation Agreement
(Question No. 93/2016)

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

The World Trade Organisation (WTO) Trade Facilitation Agreement (TFA) was endorsed by the WTO Ministerial Conference in 2013. Can the Honourable Minister for Industry, Trade and Tourism kindly explain what the Trade Facilitation Agreement is? Thank you.

HON. SPEAKER.- Thank you. Honourable Minister for Industry, Trade and Tourism.

HON. F.S. KOYA (Minister for Industry, Trade and Tourism).- Madam Speaker, I thank the Honourable Member for the question.

Madam Speaker, the WTO, as a multilateral trading system, over the years faced considerable pressure to deliver basically a tangible trade and development package that would, in turn, improve the weak global economy that existed and to protect the integrity and ensure growth of international trade. Madam Speaker, WTO essentially sets the rules and removes barriers for trade to take place across borders.

Madam Speaker, the success of the multilateral trading system is crucial for Small Island Developing States like Fiji and the multilateral system actually allows equal voice to each Member Country, whether a developed country or a developing country, big or small. At the WTO, all members are treated equally and decisions are made by consensus.

However, Madam Speaker, the lack of agreement at the multilateral level in the WTO for the past 10 years or so, has led to a rapid growth in the number of bilateral and mega-regional free trade agreements across the globe. It has also led to more non-tariff barriers, which affects the ability of developing countries to integrate smoothly basically into the global economy.

Madam Speaker, in 2013, one of the major successes of the Bali WTO Ministerial Conference was the agreement on trade facilitation, after being unsuccessful in Doha since 2003. Madam Speaker, the Agreement is a global reform of customs and other border agencies procedures, which seeks to improve efficiency at trade crossing borders and collaboration and having better defined roles amongst the relevant border agencies. Basically, it contributes to the efficiency of those particular borders and reduces the cost that it takes in terms of time to clear goods.

Madam Speaker, the purpose of the Trade Facilitation Agreement is to expedite the movement, release and clearance of goods by border agencies, such as the Fiji Revenue & Customs Authority (FRCA), the Biosecurity Authority of Fiji (BAF), Fiji Ports Terminal Limited and others. At the same time, increase transparency and reliability for traders.

The implementation of the Trade Facilitation Agreement will have a significant impact on Fiji's border agencies, and significant changes will obviously need to be made to the systems of procedures, or standards, laws and where possible, fees and charging structures, just to name a few. This, Madam Speaker, is in line with the reforms already undertaken by the FijiFirst Government, to improve our ports, airports and connecting roads through entering into successful private public partnerships with international renowned firms and directing resources, basically to improve our infrastructure.

Madam Speaker, a key feature of the Agreement is that, it recognises the resource and capacity constraints and provides for Developing and Least Developing to least developing WTO Members to make commitments subject to more time being given and/or availability of financial and technical assistance.

It is worth noting, Madam Speaker, that the implementation of the Trade Facilitation Agreement has more advantages and it will benefit all the countries in the world and will, in no way, make any country worse off, but instead all countries will be better off, through the level of efficiency that will result along the trade facilitation process, as well as reduce the cost and time it takes to actually clear goods. These reductions in costs, Madam Speaker, will translate into lower cost for goods and services.

Madam Speaker, with that explanation, I wish to thank the Honourable Member for the question.

HON. SPEAKER.- Thank you. Supplementary question, the Honourable Vadei.

HON. A.T. VADEI.- Thank you, Madam Speaker. I would like to ask the Honourable Minister to inform this House whether there has been a WTO TBT inquiry point been set up in the Ministry's Office and what sort of monitoring and surveillance framework that they are working on? Thank you.

HON. SPEAKER.- Honourable Minister.

HON. F.S. KOYA.- Madam Speaker, may he ask that question again, is he talking about a committee of some sort?

HON. SPEAKER.- Honourable Vadei, please repeat your question.

HON. A.T. VADEI.- These are technical questions, Madam Speaker. WTO/TBT is the WTO Technical Barriers to Trade entry point. I would like to ask the Honourable Minister, whether they have setup an office in his Ministry to monitor and make surveillance on those border control? Thank you.

HON. F.S. KOYA.- Madam Speaker, the simple answer to that is, within the Ministry, we have a Trade Unit that handles everything, yes they do. We have a Trade Unit which actually specifically

deals with WTO matters. There is no specific committee as such, we have a Trade Unit within the Ministry, which deals with WTO matters.

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

HON. A. NABULIVOU.- Can the Honourable Minister tell us the expected benefits of this Agreement to Fiji? Thank you.

HON. SPEAKER.- Honourable Minister.

HON. OPPOSITION MEMBER.- Already answered.

HON. F.S. KOYA.- Madam Speaker, I think that is a valid question, maybe it needs a little bit more explanation but I can explain it a little bit further. Madam Speaker, the economic research basically shows that by removing these regulatory and administrative bottlenecks, the harmonisation of processes and procedures and which of recognition easier to access information at borders, can have a powerful positive effect on reducing the trade costs and increasing trade.

Madam Speaker, basically if you look at it, it is estimated by the WTO that if customs measures all the agreements are properly implemented, it could create about US\$1 trillion worth of global economic activity, and 21 million new jobs around the world, and lower the cost of doing international trade by 10 to 15 percent.

Madam Speaker, furthermore, the Organisation for Economic Co-operation and Development (OECD) estimates that two-thirds of the gains from the Trade Facilitation Agreement (TFA) will accrue to developing countries like Fiji. Madam Speaker, In Fiji, the implementation of the Trade Facilitation Agreement will further reduce the cost of doing business by increasing efficiency obviously and trade volumes as well as reducing cost and delay through better coordination and improved logistics.

On the broader level, this would greatly facilitate access of Fiji's imports and exports into the global market, as well to serve and facilitate our trade within the Pacific region, Madam Speaker. This is in line with the Fijian Government's focus on infrastructure development and reforms of key entries which have brought about improvements in our ports, airports and roads, et cetera.

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

HON. S.V. RADRODRO.- Thank you, Madam Speaker. We acknowledge the implementation of TFA will improve efficiency of Fiji's border agencies. However it must be noted that Fiji is making a legally binding commitment at a multilateral level to implement the TFA. So if Fiji cannot implement the TFA as we say we will, can the Honourable Minister explain what strategies are in place, and if there are budgetary provisions to address legal challenges and other challenges that may arise? Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister.

HON. F.S. KOYA.- Madam Speaker, in short, with respect to budgetary questions, I think that should be addressed to the Minister of Finance.

HON. S.V. RADRODRO.- It is your Ministry.

HON. F.S. KOYA.- It is my Ministry, but I think we all know that when we do make our submissions with respect to the budget, all that is required within the Ministry is asked for and maybe we should wait till the budget comes out.

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

HON. S.B. VUNIVALU.- Thank you. Madam Speaker. My question is, what is the process of the ratifications of this WTO and when is Fiji expected to ratify this Trade Facilitation Agreement? Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister.

HON. F.S. KOYA.- Madam Speaker, this is good information for the Opposition to learn.

(Chorus of interjections)

HON. F.S. KOYA.- Thank you. It is crucial and good information for the Opposition to learn. We are a trading hub, Madam Speaker, they need to learn this.

(Chorus of interjections)

HON. F.S. KOYA.- They need to learn this and they need to listen. It is a very pertinent question, Madam Speaker, and I thank the Honourable Member for the question.

Madam Speaker, the Trade Facilitation Agreement comes into force once two-thirds of the WTO membership, about 108 members, ratify the agreement.

(Inaudible interjection)

HON. F.S. KOYA.- Learn!

As of 30th May, 2016, 80 countries have ratified the agreement and only 28 more countries are required to ratify in order for the Trade Facilitation Agreement to come into force.

Madam Speaker, some of the major countries that have ratified this Agreement are the United States of America, China, European Union, Japan, Australia, New Zealand, India, Brazil, United Arab Emirates and also Samoa in the Pacific; all trading partners of Fiji.

The Ministry sees that the benefits from the implementation of this Agreement is immense and Fiji has undergone careful domestic processes, identifying the relevant gaps that we have, the challenges and opportunities of the implementation of this Agreement.

In accordance with the Fijian domestic processes, Madam Speaker, the Agreement, after the endorsement by Cabinet, will be submitted for Parliamentary debate, and subsequently following Parliamentary endorsement, Fiji will deposit the protocol of acceptance to the WTO Secretariat.

It is our desire, Madam Speaker, to be one of the 28 countries that ratifies the Agreement as this will demonstrate to the international Fijian Business Community of our commitment to enhance trade by streamlining processes and the procedures. Most importantly, Madam Speaker, we are committed to reducing the cost of doing business in Fiji and enhancing transparency and obviously to ensuring predictability with the vision of a basically a better Fiji for all, Madam Speaker. Thank you.

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

HON. M.D. BULITAVU.- Thank you, Madam Speaker. I thank the Honourable Minister for his answers. My question, Madam Speaker, is in regards to the existing mechanisms that are in place; bearing in mind Article 23(2) of the WTO, Trade Facilitation Agreement provides that members are to establish a National Committee for trade facilitation or other existing mechanisms that will be in place, but member countries, Madam Speaker, have been finding it difficult to determine the best structure for a National Committee. What will be the best structure, Madam Speaker, that the Ministry could adopt, given the existing systems we have at the moment?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. F.S. KOYA.- Madam Speaker, with respect to the WTO and the Trade Facilitation Agreement and all and sundry, at the end of the day, it is an ongoing process, it is like a living document. We are in the process of identifying whatever bottlenecks that we have and in due course, Honourable Bulitavu, we will let you know of that. Thank you.

(Hon. Members interject)

HON. SPEAKER.- Thank you. Honourable Members you will note that I have been trying to balance the questions from the Opposition and the Government and we have gone over and above the number of questions admissible, so I will give the last question to the Honourable Balmindar Singh.

HON. B. SINGH.- Thank you, Madam Speaker. Madam Speaker, please allow me to congratulate the National Soccer Team that won their first game against Solomon Islands last night after their loss to All Whites. My question to the Honourable Minister is, what is it expected to commit while ratifying this Agreement?

HON. SPEAKER.- Honourable Minister.

HON. F.S. KOYA.- Madam Speaker, with respect to the commitments while ratifying the Agreement, as a member, Fiji will be bound by the Trade Facilitation Agreement once it is ratified, as I have said earlier, two-thirds of the membership. In preparation for the ratification and commencement of the agreement, Fiji obviously needs to identify the measures that can be applied immediately and those measures which will require additional time and those measures that cannot be implemented without technical or financial support.

Madam Speaker, the commitments are actually divided into three categories:

Category A are those measures that could be immediately implemented.

Category B are those measures that could be implemented after a specified period of time and this mainly relates to making the necessary changes to the systems and processes.

Category C, Madam Speaker, are measures that cannot be implemented, unless substantial changes are made which will require technical assistance and support for capacity building.

In order to identify the level of commitment that Fiji would make a series of national capacity needs self-assessment consultative workshops were undertaken from about April 2013 to April 2016 and through the national consultations, Madam Speaker, and the assistance from the World Bank Group, a self-assessment of needs was undertaken. The report of the self-assessment had identified the actions required to implement the Agreement, which include among others, legal and policy changes, development of and changes to procedures and creation of an institutional framework, and development of human resource capacities acquisition and upgrade of communications and information technology, equipment and development of infrastructure.

Furthermore, Madam Speaker, some challenges that we need to overcome in the implementation of the Agreement, include among others, undertaking reforms in prioritised agencies and changed management and high cost associated with technological development. Thank you, Madam Speaker.

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

HON. P. SINGH.- Madam Speaker, Point of Order.

HON. SPEAKER.- Point of Order.

HON. P. SINGH.- I would just like to raise a Point of Order now. I think the Business Committee may have overlooked that there are three questions to the Honourable Minister for Defence. Question Numbers 92, 94 and 96, which two will you allow?

HON. SPEAKER.- We allow two questions, but the third question was one that was pending previously and that was the only reason. Thank you, Honourable Sudhakar.

Fiji's Capability - Monitoring EEZ and Search and Rescue
(Question No. 94/2016)

HON. A. SUDHAKAR asked Government, upon notice:

Can the Minister inform this House as to what plans the Ministry has in enhancing Fiji's surveillance capability in terms of monitoring the EEZ and Search and Rescue?

HON. SPEAKER.- Thank you. I give the floor to the Honourable Minister for Defence, National Security and Immigration.

HON. CAPT. T.L. NATUVA (Minister for Defence, National Security and Immigration).- Madam Speaker, I wish to thank the Honourable Member for the question.

For the information of this House and the general public, the Search and Rescue for waterways and 12 nautical miles territorial waters are the responsibility of the Police. From the 12 mile limit to the 200 mile EEZ, it is the responsibility of the Navy.

Madam Speaker, currently the monitoring of the EEZ is a vast responsibility, given the large ocean space of Fiji's archipelagic waters. There is no doubt that Fiji's resources are extremely stretched in terms of this monitoring task and the Navy and other relevant stakeholders experience as of today.

As part of the undergoing National Security Strategy and the White Paper has to be produced resultantly, the Navy will be submitting their capability and capacity plans, to enhance their competencies and resources to mitigate the vast responsibilities that they have.

Under the Maritime Safety Authority of Fiji (MSAF) regulations, all vessels that enter Fiji's territorial waters are monitored under the Automatic Identification System (AIS). This system is accessible to the Navy also assists the monitoring of vessels. Government, through MSAF, is also now pursuing a Mandatory Reporting System (MRS), whereby all vessels entering Fiji Waters will be bound by law to report identification and locality to Fiji's relevant authorities.

The recent Pacific Island Forum Fisheries Agency (FFA), the Niue Treaty is an agreement without an MOU that allows for the direct liaison on operations relating to fisheries surveillance and related breaches. Fiji is yet to be a signatory to this treaty but have arranged with FFA to conduct workshops and consultation for Fiji's decision. This is also an avenue that can assist Fiji in the monitoring of our EEZ, should Fiji agree to verify this treaty.

Fiji also plans to utilise avenues of satellite images because of the large EEZ area. This has its disadvantage, given the real time imagery provisions. There are also plans for the possibility to utilise aerodromes towards the monitoring of the EEZ, this is very expensive. This avenue is currently being carefully considered by Government to tender our expression of interest, to establish formal agreements in order to secure the appropriate times to utilise such a capability when and where required.

In terms of search and rescue, Madam Speaker, Government is evident in its recognition of its importance, has increased the budget for this financial year to FJ\$200,000 towards Search and Rescue (SAR).

For the past two years, the Ministry has had numerous consultations in drafting the National Search and Rescue Manual that has been submitted to Government's mechanism for consideration. The Ministry also conducted a Search and Rescue Table top exercise in 2015 with all stakeholders to test the Search and Rescue Manual and proved to be integral as this exercise identified areas of improvement for obvious amendments to the draft prior to submission to Government.

Madam Speaker, the operation responsibility is obviously with the Fiji Navy, which is the best equipped and competent in SAR – search and rescue. The Fiji Navy possess a very useful software called the Search and Rescue Information System (SARIS) , which assists in plotting the likely course of Search and Rescue operations, taking into account the weather, tides, time of incident, et cetera, producing the most likely vicinities of the probable victims, easing and providing quicker reactive action of SAR.

Since the inception of SARIS programme, the success rate has been 90 percent and has confidence of 100 percent success, if the programme is provided clear statistics to allow the required probabilities to be produced. From the past five incidents in a year and half ago, four out of five have been successful.

Madam Speaker, currently, Fiji utilises local aircraft companies for fixed and rotary capabilities for SAR operation. Furthermore, through the Fiji Navy, there is an agreement which is ready for renewal with the French and New Zealand Governments respectively of their aerial capability provisions to assist Fiji in SAR operations. I thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Niumataiwalu.

HON. M.A. NIUMATAIWALU.- Thank you, Madam Speaker. With the current system of surveillance and monitoring of the EEZ and Search and Rescue, is it achieving the desired objective of Government?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. CAPT. T.L. NATUVA.- I thank the Honourable Member for the question. At the moment, we have limitations in our capability and that is why we are being assisted by the New Zealand and French Navy, and that is why we have this National Security Strategy to come up with a White Paper and then come up with capability that should be tabled in Parliament of what is required of the Fiji Navy for the monitoring of our EEZ. At the moment, we have limitations.

HON. SPEAKER.- Thank you. Honourable Samuela Vunivalu.

HON. S.B. VUNIVALU.- Thank you, Madam Speaker. In regards to the SAR operation which is being conducted by the Fiji Navy, can the Honourable Minister explain what kind of short-term assistance is being provided to them? Thank you, Madam Speaker.

HON. SPEAKER.- The Honourable Minister.

HON. CAPT. T.L. NATUVA.- The short term assistance that we have at the moment is the assistance from the French Aircraft and the renewal of the agreement with the New Zealand Navy, for their aircraft to be part of the Search and Rescue plan.

The timeline from when we request for an aircraft at the moment is a bit limited, because they do not have on standby for Fiji operations. It is on request, and the request will have to go to these two Governments, and the time lapse from the request time for the aircraft to be in the area is taking too long at the moment because they are really not on standby for Fiji's Search and Rescue as they are tasked for other priorities for their various governments.

That is why, when the aircraft is flown to Fiji for tasks, sometimes it takes a day or one and a half days. What is required in Search and Rescue is the quick action that we have. When the system is being done by the Navy for the SARIS to know the datum of where is the likely position of the drifting vessel or loss at sea, it is very important that we have the aircraft assigned to be there as soon as possible.

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

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. I thank him that they are prioritising EEZ surveillance now. The question is, I have only heard the Honourable Minister mention one figure which was \$200,000, which is a drop in the ocean of a \$300 million budget.

My question is, given the importance of our EEZ and to protect Fiji from the onslaught of drugs and thieves of our natural resources, will the Minister and the Ministry be considering reallocation within that \$300 million budget directly and indirectly to the Military to give a bigger chunk of it to the Navy for monitoring the EEZ, or will that require further resources?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. CAPT. T.L. NACUVA.- Madam Speaker, I thank the Honourable Member for the question. Let me go back to what I have mentioned before, is that, we will be having a White Paper. The White Paper will be presented to Government where areas in which we need capabilities and finance, et cetera, and that can be discussed and debated over here. If here is a requirement for more money, that will be submitted when the Paper is tabled in Parliament, where we can discuss on that.

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

HON. RATU I.D. TIKOCA.- Thank you, Madam. I just want to ask the Honourable Minister on how many naval ships that are actually ours, that are actually operational, and what is the strength of the Navy?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. CAPT. T.L. NATUVA.- At the moment, there are 4 operational ships. As I mentioned before, the capability is limited. At the moment, the agreement with Australia is that they will be supplying us two more bigger boats, 50-meters, but that is on the pipeline, and we are working on that. The 3 boats that we have at the moment, the plan now is that they be taken to Australia for refitting, one at a time, to await the time when we will be supplied with two more bigger boats from Australia - the bigger ones.

HON. RATU I.D. TIKOCA.- Madam Speaker, the Minister has not given his response on the strength of the navy.

HON. SPEAKER.- Yes, the response to the second part of the question?

HON. CAPT. T.L. NATUVA.- The strength was increased from 300 to 500 now.

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

Progress on the Level of Special School Education
(Question No. 95/2016)

HON. M.M.A. DEAN asked the Government, upon notice:

Can the Honourable Minister for Education, Heritage and Arts elaborate on the progress so far, to improve the level of Special School Education in Fiji as prioritised in the 2016 Budget?

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

Madam Speaker, the Honourable Members would recall the Honourable Minister of Finance, in his Budget Address last year, took time to elaborate special attention that this Government is giving for children with special needs. It was the first time ever, he made major special allocation for special schools, and I wish to elaborate on the progress on that.

Madam Speaker, we have got 18 Special Schools;

- a) Early Intervention School
- b) Hilton Special
- c) Suva Special
- d) Fiji School for the Blind
- e) Gospel School for the Deaf
- f) Fiji Vocational Training
- g) Nausori Special School
- h) Norah Frazer Special School, Levuka
- i) Sigatoka Special School
- j) Nadi Special School
- k) Lautoka Special School
- l) Sunshine Special School
- m) Ba Special School
- n) Veilomani Rehabilitation Special School
- o) Ra Special School
- p) Nasavusavu Special School
- q) Labasa Special School
- r) Marist Champagnat Special School.

Madam Speaker, a total of grant paid in Term 1 to the Special Schools, a major increase this year in term 1 was, \$420,772. Madam Speaker, we are not only giving grants to these 18 Special Schools, as well those other schools who are seen as inclusive schools and are accommodating children with special needs.

Madam Speaker, as announced by the Honourable Minister for Finance in the last budget, this year we have doubled the per capita grant for children enrolled in Special Schools, as well as other schools which are taking on these children with special needs. The normal per capita grant per child was \$250, this has been doubled to \$500, which was given out to all special schools as well as schools who raised to us that these are the children with special needs and therefore, we provide this additional double-up grant.

Madam Speaker, in addition to that, we also increased the salary allowance for teacher aids from \$3,000 per annum to \$5,500 per annum. Madam Speaker, these Special Schools do have these aid who come in and assist the teachers, and their allowance was increased from \$3,000 to \$5,500 per

annum. And the sign language interpreters who used to get \$5,000 before last year are now getting \$7,000 per annum.

Madam Speaker, this year, we have given in the beginning, four new establishments, ED9A, two interpreters to ensure the students with hearing impairment in these secondary schools receive proper lessons, translated in sign language. Madam Speaker, up till now, this year, we have also paid two Braille support workers to help braille and de-braille materials for students with visual impairments.

Madam Speaker, we are working with the Special Schools and we came out that we will need six more teachers in the schools, that is what they asked for, and we are now trying to put an advertisement together to take into account what is a special need, rather than just giving them a normal primary school teacher to them. So, this advertisement will probably come out next weekend, six new positions to assist the Special Schools.

Madam Speaker, we have also got support from other institutions and NGOs. For example, the Australian Aid, through the Scope Global International, they continue to provide support in specialised areas such as occupational therapist, speech therapist and child psychology. So, they have been giving assistance to us and they have been working with the Special Schools, Madam Speaker.

Through our Volunteer Counterpart Programme, Madam Speaker, we are trying to develop and grow our own, but we are getting assistance from the Ministry of Health to do the training for these staff that we have there.

Madam Speaker, in addition to this operational grant, in the last budget by the Ministry of Finance, we also provide some capital grants to provide additional capital infrastructure to accommodate needs in these Special Schools.

Madam Speaker, beginning up to the last five months, \$56,000 has been paid to the special inclusive schools to improve accessibility for children using mobility aids and assistive devices. In addition to that, \$46,000 has been paid out for equipment and resources in the schools.

Madam Speaker, the Norah Frazer Special School in Levuka has been given funding to repair and build their school buildings and new school bus garage.

Madam Speaker, the Lautoka Central College, Kasavu Primary School and Movuco Catholic School have been given funds for ramp construction, so that children could be lifted up.

Madam Speaker, the Early Intervention Centre has restructured the existing school building to accommodate early detection and early intervention programmes. Madam Speaker, whenever you get some free time, we will be able to take you for a tour and you will see the kind of advance facilities we have there, to identify certain disabilities that children may have and then take them, let us say to the finest hospital in Hawaii, or other hospitals, where they could get some advance treatment and make them normal.

Some of these children, Madam Speaker, just basically need a hearing aid to make them normal and send them to school. So, these things, because of financial constraints, before we could not do that and they remained in these special schools and therefore resigned to the fact that they are not a

normal child. This little assistance, Madam Speaker, we have been able to graduate a lot of students from the special schools into normal schools.

Madam Speaker, we are working with other stakeholders, some stakeholders just come first to us, to provide some targeted assistance, particularly capital grant to provide nationwide hearing aids to children and we are working closely with them to see how we could ensure that all children are able to get what kind of devices that they need. Thank you, Madam Speaker.

HON. SPEAKER.- Supplementary question, Honourable Jilila Kumar.

HON. J.N. KUMAR.- Thank you, Madam Speaker. Can the Honourable Minister inform this House how he is accommodating students in areas where special school is not available? Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, there are two ways we are assisting these children in areas where special schools are not available. One, is the existing special school, most of them we are now providing boarding facilities, Madam Speaker, so children are living there.

We are examining the Suva ones, all of them have that, and Lautoka as well. So, that is one way we are looking at how we can accommodate these children, in areas where special schools are not there. However, we are mindful of the fact that we really do not want to separate them from their parents as well or take them too far away from their parents.

What we are doing now is to ask the primary schools around there to mainstream the schools and for them to accommodate the children with special needs. So, we are incentivising them by firstly, they are getting this new grant, the double up grant, instead of \$250 per child, they are getting \$500. Secondly, we are also saying to them that we are happy to provide them with additional teacher support outside the normal establishment; sign language interpreters, teacher aids, so these are there. What we would have said is that for school heads (we would send the circular out) that if any parents come to you, give us a list of things that you will need to accommodate the child. We do not want you to turn the child back. So, this is our way of accommodating them now, throughout Fiji because it is difficult, given that at the moment, and we are quite likely, given the current assistance that health facilities we have, these kind of numbers will be very low and therefore, it is difficult to have capital infrastructure in all areas for special schools. We are now looking at mainstreaming our schools. Thank you.

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

HON. M.R. LEAWERE.- Thank you, Madam Speaker. I would like to thank the Honourable Minister for looking after special schools, especially the activities that he has announced in this House. However, I would just like to ask the Honourable Minister, Madam Speaker, although he has increased the establishment in terms of these schools, the fact is that these are the most vulnerable in terms of teacher: pupil ratio, whereas you have to have 1:4: or 1:8 in terms of the disability.

I would like to ask the Honourable Minister, are there any plans to increase, instead of giving them allowance and increasing their salaries or absorbing them into the Civil Service and then increase their salaries or give them allowance that had been alluded to by the Honourable Minister. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, again I find his contribution quite amusing. He is talking about increasing the teacher-student ratio and then he is suggesting that we should increase their salaries. It does not match. Madam Speaker, and then he is talking about absorbing them into the Civil Service.

Madam Speaker, firstly, we are providing them with teachers. Just now, I said that we are advertising six more positions but we have asked them to design the advertisement because there are special needs that they need, that is the delay in it.

Just two weeks ago, we asked them to tell us their need; how many teachers they need and they told us that they needed six more. So we are advertising it. These are our teachers, we will be paying them that is not an issue.

Madam Speaker, to deal with the teacher-student ratio, to increase student-teacher ratio, we need to pump in more teachers. We have said to them "tell us how many you need". They told us they need six and we are going to provide the six. So that is how we are dealing with it.

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

HON. A. NABULIVOU.- Thank you, Madam Speaker. With regards to special school education, can the Honourable Minister explain what policy review and awareness is the Ministry undertaking?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, it is an important question. The initiative of Government and the issues that are raised or alluded to earlier on, people need to know about it, so that they do not keep their child at home and also there are stakeholders who need to get attuned to what we are doing and to assist us, and therefore, they need awareness as well as internal policy awareness.

Madam Speaker, currently we are undertaking a review of the inclusive education policy to take into account some of the issues that I have alluded to and also to use the current evidence we have in achieving what we want in terms of providing support to our children with special needs and to take into account the international convention and framework commitments that we have made.

Madam Speaker, we are also undertaking a workshop at the moment, with the different stakeholders, so that we are able to come up with an action plan towards the progressive realisation of the rights of persons with disabilities.

Madam Speaker, internally, we are also undertaking a review for curriculum and assessment so that we are able to accommodate children with disabilities in undertaking exams. So, we are looking at how we accommodate them during exam time, Madam Speaker, so that they are not disadvantaged in terms of inability to sit for the exam because the way we are undertaking exams for normal children.

We are also developing an assessment option for students with disabilities, we are linking or providing support to vocational schools, technical colleges and campuses so that these students are accommodated there as well.

Lastly, Madam Speaker, we are now meeting the teacher training institutions, particularly FNU, which is offering their primary teacher training at Corpus Christi and Fulton, so that all the teachers who are trained there are also given basic training on how to deal with children with special needs.

Once we are able to do that, Madam Speaker, and when this new crop of teachers come into our school system, gradually we may not need specialised teachers in mainstream schools. So that is a better way, a sustainable way of providing specialised teachers in mainstream schools.

So, all those new graduates who will come out in two to three years' time, we want as our objective for them to know sign language, in addition, the ability to diagnose, identify and handle children with special needs. Thank you, Madam Speaker.

HON. SPEAKER. Thank you. To balance off questions from both sides of the House, I will need just one more question from the Opposition, which one will it be? I give the floor to the Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, I know 18 schools, special schools and we also have children with special needs in rural areas. Could the Honourable Minister guarantee this House that the teachers are well qualified for their jobs, or if not, what training areas will they put them through in order that they are trained to attend to special students?

HON. SPEAKER.- Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, unfortunately, it looks like Members are not listening carefully to our contributions and these things continuously happens.

(Chorus of interjections)

I have just said, Madam Speaker, that firstly, we are up-skilling them and secondly, workshops – training workshops. Thirdly, we are advertising to test our market. I just mentioned in this House, we have asked them to draft advertisements of what they want in these six new establishment and we will test our market. If it is not there, then we will get it from outside. Fourthly, I have just mentioned just a while ago, a couple of seconds ago, that we are talking with the national training institution so that the graduates who are going to come out, they are going to be skilled and trained on how to deal with children with special needs. They just cannot get it, Madam Speaker, they just would not listen, Madam Speaker. Thank you.

(Interjections)

HON. SPEAKER.- Thank you, Honourable Members. I will now adjourn this sitting for refreshment and we will resume at 11.40 a.m. Thank you, Honourable Members.

The Parliament adjourned at 11.11 a.m.

The Parliament resumed at 11.45 a.m.

HON. SPEAKER.- Thank you Honourable Members, you may be seated. Thank you Honourable Members, we will resume from where we left off and I will now give the floor to the Honourable Alivereti Nabulivou to ask his question.

Status of the Hydrographic Unit
(Question No. 96/2016)

HON. A. NABULIVOU asked the Government, upon notice:

Can the Honourable Minister for Defence update the House as to the status and progress of the Hydrographic Unit and what benefits can Fiji reap from this Department? Thank you Madam Speaker.

HON. SPEAKER.- I give the floor to the Honourable Minister for Defence, National Security and Immigration.

HON. CAPT. T.L. NATUVA (Minister for Defence, National Security and Immigration).- Madam Speaker, I wish to thank the Honourable Member for the question. Two people from the highlands asking and answering questions from the seas. Something unique.

(Laughter)

The Fiji Hydrographic Service (FHS) was established to cater for the maritime needs of the nation, with regards to safety of navigation, with its maritime boundaries. Being a maritime nation of over 300 islands, the work of hydrographic service is critical to the nation's economy.

Between 1993 and 2000, the FHS carried out hydrographic surveys, with the assistance of the Japanese Government, and printed updated charts of the Eastern parts of Fiji.

Fiji has the ability to produce and disseminate its own charts now, with the British Hydrographic as the principal Charting Authority for Fiji charts.

FHS is now in the process of taking over the printing of its own updated charts for the whole of Fiji, which is aimed to be completed by 2021. The charts are quite valuable and will be a source of revenue when the UK confirms the value of the electronic charts.

Under IMO, there is a requirement now for all the ships to use electronic charts and the capability is with the Navy at the moment at Togalevu. At present, the hydrographic service is working on the following:

1. Updating and reprinting of the F6 Fiji 200 mile EEZ charts to modern geodetic requirements, to assist in the monitoring of its maritime borders;
2. Publishing of new charts of the Mamanuca and Yasawa, to cater for increasing demand for yachts, super yachts and cruise ships for new safe destination within these two island groups;
3. Publishing a new chart (totally a new one) for Rotuma;

4. Establishing a network of climate and tide monitoring stations within the country, with the assistance of the Government of South Korea, which will assist in the monitoring of the rise and fall of sea level, production of inundation graphs and assist in the monitoring of the threat of *tsunami* to the country.
- a) The actual project name is Project to Establish Infrastructure Required to Support Maritime Safety, Response to Climate Change and Prevention of Natural Disasters. Main stations already established under the South Pacific Climate monitoring projects are already in Lautoka and Suva. Two more will be established in Levuka and one in Vanua Levu.
 - b) The station monitors tide levels, water temperature, wind speed and direction, barometer pressure and land rise and fall levels (land also has tidal effects). This will in turn determine whether land is falling or water level is rising. Also the station can be utilised to warn against *tsunami* by monitoring and warning when tide levels fall below critical levels preceding *tsunami*.

For future intentions of the FHS, the following are forecasted:

1. Establishing a small network of buoys, strategically placed to assist in the monitoring of waves, currents and acquisition of oceanographic data to assist in the monitoring and forecasts of sea states and change in water quality in the country;
2. Plans are in place with the People's Republic of China to purchase a hydrographic vessel. The vessel designed has been agreed to by both countries but the tender process will be done in China for the production of the vessel.
 - No timeline has been given.
 - The vessel characteristics are as follows:
 - Length Overall – 43.5 meters
 - Double hull aluminium (catamaran)
 - Updating of old paper charts to Electronic Navigation Charts to cater for the demand of the International Maritime Industry. There is a lot of work to be done by the Hydrographic Unit. Some of those charts that are in Fiji at the moment dates back to Captain Cook's time.
 - Assistance from South Korea: at the end of the year, they will be supplying survey boats and vehicles to assist in taking the survey boats towed by vehicles to areas specified for hydrographic survey.

Fiji is currently in the forecast to reap the benefits from this service in:

1. the ability to monitor sea levels in the country and establishing database, which will assist in the identifying of higher risk areas and also have *tsunami* warning facility;
2. Compliance with international maritime standards for the safety of vessels transiting or visiting Fiji waters;
3. Sale of charts; once confirmed by the UK admiralty can cause a large amount of revenue to the FHS and Fiji; and

4. The ability to monitor sea states, currents and water quality of the nation's waters which will assist in identifying of risks or effects of the fishing industry.

I thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Samuela Vunivalu, you have the floor.

HON. S.B. VUNIVALU.- Thank you Madam Speaker. Madam Speaker, with all investments and assistance to the Hydrographic Unit, what will be the return to the Government in the next five years in terms of ways it will benefit from this Department?

HON. CAPT. T.L. NATUVA.- Madam Speaker, I thank you very much for the question As I alluded to before, I will just identify two first. With the electronic charts, we will be able to make our own electronic charts and for sale, it would be a revenue. So if the requirements for all vessels coming through Fiji waters to purchase electronic charts, the base will be the Fiji Hydrographic Office.

Secondly, is when the survey is conducted in areas which have been surveyed by Captain Cook which only have small scale charts, they will be manufacturing large scale charts, as I mentioned in the Mamanuca and Yasawa Groups, visiting cruise liners will be able to visit these areas because of safe navigation. There are also areas identified in the Lau Group and Vanua Levu for the Fiji Hydrographic team to proceed in the next two to three years to conduct survey.

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

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. We have been given false warnings and alarms in regards to *tsunami*. The Honourable Minister has alluded to the positioning of buoys as *tsunami* early warning system. My question is; the positioning of the *Tsunami* Early Warning Systems, can that be able to give us the time when the *tsunami* makes a landfall, so that it can give us the time to evacuate to higher grounds? I thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, I thank the Honourable Member from the highlands for another question.

(Laughter)

As I had mentioned before, Fiji is working with South Korea on the project to establish infrastructure required to support the maritime safety response to climate change and prevention of natural disasters. Whilst we have this in place, say for example, if there is a sudden drop in sea level that is a determinant that a *tsunami* is coming.

Some of the warnings that we had were false warnings because we do not have the gadgets or machines to monitor. If there is an earthquake somewhere in Lau or in Vanuatu, then they give us false information that we have to evacuate to higher grounds. I hope that, after the establishment of these three monitoring stations in Fiji – Levuka, Suva, Lautoka and Vanua Levu, they will give us clear indication of whether there is a *tsunami* coming or not, but it is in the process. The Fiji Hydrographic Survey is working with the Government of South Korea for the establishment of these systems.

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

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I am grateful to the Honourable Minister for confirming today that the Malolo waters, Mamanucas and the Yasawas are chartered. You will recall that I had raised this in my maiden speech, I believe, asking to do this and I am very grateful, Honourable Minister. Can he confirm, does that mean that boats and vessels can travel throughout those areas, 24 hours a day?

HON. SPEAKER.- Thank you, Honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, I thank the Honourable Member for his question. Yes, 24 hours. We will be able to do that. What we are trying to do is, one whole chart for the whole of the Mamanuca Group. At the moment, it is divided into two; the Momi area has one chart and it does not cover the whole area.

The surveys have already been completed and last year, the data was given to the Hydrographic British Admiralty in the UK. They have confirmed, they have gone back to the Fiji Hydrographic Survey Unit for confirmation, and they are working on the charts at the moment.

HON. SPEAKER.- Thank you, Honourable Niumataiwalu.

HON. M.A. NIUMATAIWALU.- Thank you, Madam Speaker. As someone who comes from the islands, I am very interested in the sea level rise and the timely warnings to islands, because in 1979, the first *tsunami* that hit during *Cyclone Meli*, hit Nayau Island. That is why we are grateful to the Hydrographic Unit of the Naval Division for early warning notifications.

My question is; after all the reforms and the assistance from South Korea and China are completed, what will happen to the Hydrographic Unit of the Naval Division?

HON. SPEAKER.- Thank you, Honourable Minister.

HON. CAPT. T.L. NATUVA.- I thank the Honourable Member for the question. The reforming, restructure and new equipment coming to the Hydrographic Unit, together with the provision of the Hydrographic Vessel by China, will be in the lapse of about five years. The end state would be, Fiji will have the capability of surveying its waters.

You can recall that about two months back, the Australian Hydrographic Vessel was conducting its survey in Fiji at the entrance of the Suva Harbour. So, five years from now, we will have that capability and once we have the capability, we will determine which area is to be surveyed for cruise liners to proceed and there will be benefits to the local community when tourists go on to the islands. Also, it is a source of revenue. It will be legislated that all the charts in Fiji go through the Fiji Hydrographic Department and all electronic charts will be purchased from Fiji as a source of revenue to the Government of Fiji.

HON. SPEAKER.- Thank you. We will have the last question, and I call on the Honourable Ratu Sela Nanovo.

HON. RATU S.V. NANOVO.- Thank you, Madam Speaker. We do thank the Honourable Minister for the explanation given regarding the Hydrographic Unit with the Ministry so far. My question to the Honourable Minister, we have noted that in the coastal areas of Kadavu, there are a number of beacons that used to be there are no longer there now, will the Hydrographic Unit be also responsible for replacing those beacons? Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. CAPT. T.L. NATUVA.- Madam Speaker, the responsibility of sanctioning the beacons is with the Fiji Maritime & Safety Authority of Fiji (MSAF), MSAF works with the Government Shipping Services. After they establish the beacons, the Hydrographic Unit will come in and chart the location of that on the chart and plot it.

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

Verifiable Indicators/Benchmarks for
Combatting Violence against Women and Children
(Question No. 97/2016)

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

Can the Honourable Minister for Women, Children and Poverty Alleviation inform the House as to what verifiable indicators/benchmarks have been set by the Ministry, to monitor progress in combating violence against women and children in Fiji?

Thank you Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Minister.

HON. R.S. AKBAR (Minister for Women, Children and Poverty Alleviation).- Thank you, Madam Speaker and I thank the Honourable Member for asking this question.

Madam Speaker, the Cabinet, in February, 2014 endorsed the Fiji National Gender Policy and this Policy mandates all Government agencies to evaluate policies and processes through gender lenses and of course, this policy heavily addresses the issue of violence against women and children.

Madam Speaker, there are 160 activities articulated in this policy, from which we have more than 20 indicators, and if I was to go through all the indicators it will take a lot of time. So, I would like to draw the attention of the Honourable Member to the National Gender Implementation Work Plan, and should this question come as a written question, I will be able to provide the detailed information. Thank you.

HON. SPEAKER.- Thank you. Supplementary question.

HON. S.V. RADRODRO.- Thank you, Madam Speaker. I find that response very inadequate because the kind of indicators that I was looking for are like; what kind of outcome indicators does the Ministry have? What kind of process indicators and what kind of impact indicators?

When we talk about indicators, you are actually looking for statistical database because before we can really look at any policy change or any policy initiatives, it is important that we have statistical data. So, what is the Ministry doing in terms of data collection? Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. R.S. AKBAR.-Thank you, Madam Speaker, if I can draw the attention of the House to a Point of Order raised yesterday for oral questions to be short and simple, I was just going by that.

Anyway, in order to answer the Honourable Member's supplementary question, I will provide a few indicators, but eventually, like I had said, all the indicators can be extracted from the National Gender Policy Implementation Work Plan.

One such indicator, Madam Speaker, is the Gender-based Violence for Service Protocol. We are looking at the need to co-operate with the Fiji Police Force, the Ministry of Health, the Judicial Department and other services to victims or survivors of gender-based violence to ensure that we are able to collate data. Of course, Indicator 2 also looks at the number of monitoring reports from Gender Focal Points and improve implementation within the implementing agencies.

Madam Speaker, if I may also say that the National Gender Policy mandates all Government agencies and Ministries, as I said, to look through these issues with gender lenses and we started off with the Policy Dialogue for the MPs, then we started with the induction for the Permanent Secretaries and just yesterday, we commenced a workshop for Gender Focal Point Officers within all Ministries.

And of course, we are also looking at collating data with the Fiji Police Force, that is where the evaluation of the Ending Violence Against Women (EVAW) Taskforce comes in. Yes, getting data is of great urgency for us and we are working towards to see that we develop a system where data relating to violence issues and the ways they have been addressed, the number of cases being reported, the number of Domestic Violence Restraining Orders (DVROs) that have been issued are all collated. At the moment, there is a lack of data and we have to agree to that.

On that point, when you talk about data, Madam Speaker, we also look at the fact that increase in reporting is something that we are looking at. When there is increased reporting, that does not mean that there has been an increase in activities being undertaken.

So, all that is here and like I had said, this could be provided to the Honourable Member for her perusal.

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

HON. M.M.A. DEAN.- Thank you, Madam Speaker, and thank you, Honourable Minister for your response. I just have one supplementary question in terms of monitoring the progress in combating violence against children. Is your Ministry working in collaboration with the Ministry of Education? And if it is, if you can just specify what are the measures taken in working together with the Ministry of Education?

HON. SPEAKER.- Thank you Hon Minister.

HON. R.S. AKBAR.- Thank you, Madam Speaker and I thank the Honourable Member for the question. Yes, we are working with the Ministry of Labour and the Ministry of Education because we are part of the NCCC (National Co-ordinating Committee on Children) where these issues are raised with the Committee, and we are collating data as to how many children go through this, especially in terms of child labour and child abuse issues.

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

HON. N. NAWAIKULA.- Madam Speaker, the public wants to know why there were no results and outcomes? We have more than 20 indicators, what is their story so far? What is it telling about the extent of the problem and their distribution, et cetera?

HON. SPEAKER.- Thank you. Hon Minister.

HON. R.S. AKBAR.- Madam Speaker, I thank the Honourable Member for the question which is, indeed, a very important question. I am sure the public space has been flooded with the gender violence issues against women, children and girls and the statistics prove to us that we have a grave problem in Fiji. It is a very serious problem.

The latest statistics reveals that 64 percent of women have been subjected to partner-violence or within their homes and, of course, the impact of this is also felt on the children. This issue, Madam Speaker, will also be addressed in the Ministerial Statement that I will be making later in the day.

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

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. The question focusses on women and children; is there any database for violence against men? Thank you.

(Laughter)

HON. SPEAKER.- Honourable Minister.

HON. R.S. AKBAR.- Thank you Madam Speaker. Thank you, Honourable Member, unfortunately, I do not have any data on violence against men. That could be extracted from the Police and we may assist you in getting the data. We are not saying that men are not subjected to violence, if there is, then the Police might have records of that. Thank you.

HON. SPEAKER.- Honourable Bulitavu.

HON. M.D. BULITAVU.- Madam Speaker, the Honourable Minister has confirmed to the House that there is lack of data. The Honourable Minister has confirmed that to the House. In order to set a target for the Ministry to achieve in reducing DVRO and all those cases, even other indicators like Police statements that come into court that are still in Hindi or *iTaukei* languages which makes it very difficult for the judges to interpret and even court cases to prosecute the accused persons and to help the victims, what will the Ministry do in order to achieve those targets in the collection of data? Will the Ministry set up a Unit to collect all the data or the Minister will still rely in trying to get data from other agencies - the Fiji Police, the Fiji Women's Crisis Centre, et cetera? What will the Ministry do?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. R.S. AKBAR.- Thank you Madam Speaker. I thank the Honourable Member for the question. Of course, if I may make note in this House, our Ministry is an empowerment agency. We are not the implementation agency for the laws that exist in the country.

Of course, we have the EAW Taskforce that is made up of all the stakeholders that includes our women support organisation, the Ministry of Health, the Police Force and, of course, my Ministry, and we revived it later last year after a lapse of some months. This is the agency that is going to look at collating the much-needed data on this issue. Thank you.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Aseri Radrodro to ask his question.

National Television Station, Fiji One – Extension of Coverage
(Question No. 98/2016)

HON. A.M. RADRODRO asked the Government, upon notice:

Can the Honourable Attorney-General and Minister for Finance, Public Enterprises, Civil Service and Communications inform the House on how Government proposes to extend the national television coverage of *Fiji One* to areas outside of the main centres that are not able to catch the signal coverage of *Fiji One*?

This question arose because of the demands and requests by the general public in terms of accessibility of watching Fiji One Television local contents, especially after the sale of Sky Pacific to Digicel.

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

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

Madam Speaker, Fiji One is a publicly listed company. In respect of their planned coverage of Fiji, obviously the question is best directed to them. Government, of course, has its own plan in terms of increasing Free-to-Air television network coverage throughout the country.

HON. SPEAKER.- Thank you. Hon. Vunivalu.

HON. S.B. VUNIVALU.- Thank you Madam Speaker. In regards to television coverage throughout Fiji, I would like to ask the Honourable Minister on his intention to improve the network coverage of free coverage of air television?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I would like to thank the Honourable Member for his question.

Madam Speaker, the Free-to-Air television coverage is very very critical and in order to improve free-to-air coverage and also to get a 100 per cent coverage throughout Fiji, you need to reallocate the spectrum. The spectrum, Madam Speaker, is like limited real estate where you have only a certain number of frequencies that are available within that spectrum itself, and Fiji, at the moment, is on analogue television. We do not use digital television. As we had announced in the Budget statement last year, Madam Speaker, we are looking at having digital television in Fiji.

What are the advantages of digital television? Madam Speaker, what digital television does is, for example, it offers more channels within a limited spectrum. So, in other words, the roll out of digital television which is currently taking place and which, in fact, should be thoroughly completed within 18 months from now, (there have been some delays because of *Cyclone Winston*), what it means, is for example, a TV Company like *Fiji One* will be able to go on Free-to-Air television and be able to show two channels in the limited spectrum. *FBC* will be able to show two channels, *Mai TV* with whom consultations have already been taking place, has opted to show only one channel.

Madam Speaker, what this means is that, once digital television is rolled out in 18 months' time, all Fijians will be able to watch five Free-to-Air Channels in Fiji. However, it also means, Madam Speaker, by having digital television, you are getting the latest technology. It also means that we do away with analogue technology.

What it also means is that, by having a common infrastructure platform, you have television stations then focussing their operations, not on infrastructure development which will be provided through a common platform but on content, and this is what future television stations need to be doing. They need to be developing content. What does "digital television" mean for consumers? Madam Speaker, what it means, it needs better quality, of course, content, more channels and of course the ability to enjoy a better quality picture. It also means that should they want to subscribe to any other form of pay television, they will be able to get better quality on that too and indeed, they will be able to use the same facility to be able to access subscribed television channels.

Madam Speaker, at the moment, if you want, for example, go off and have a separate channel, it is infrastructure-wise very expensive. So, with Digital Television you can also have what we call 'specialist television stations', so faith based organisations, for example, will find it easier to have their programmes shown on separate channels if they wish to. You can have civil society groups that may be able to put more content on, without having the upfront cost of infrastructure, so that is what Digital Television does.

Madam Speaker, it also means then there will be uniformity in the picture quality. At the moment, for example, if you are in a certain area, you may get better reception of *FBC*, but in other areas you, may get better reception of *Fiji TV*. In other areas, you may not get *Mai TV*, but you get quality in other areas. Through digital platform all the three Free-to-Air televisions companies will be able to have the same quality television pictures being shown, which obviously is very good for everyone.

Madam Speaker, in respect of the DTV, at the moment (by way of information), the network coverage is: *FBC* - 92 percent; *Fiji TV* - 85 percent; *Mai TV* - 60 percent; and this is in terms of the population numbers. Within 18 months, you will get 92 percent coverage throughout, irrespective of

which TV station it is. Then over the next year or so after the 18 months, we should be able to cover as far as South-East Lau, we should be able to cover high up as North-West of Fiji which is in Rotuma.

Madam Speaker, we are also ensuring that with the linking of the Digital Television technology, you have a lot of redundancies. So, at the moment for example, because of *TC Winston*, FBC has one of its sites down, *Fiji TV* has three of its sites down out of the 11, *Mai TV* has two of its sites down from the three, so in other words, only one of its sites is up. By having Digital Television, you are actually able to build redundancies, so if one line falls down, the other one picks it up so there is no failure in the network coverage.

Madam Speaker, with Digital Television, we should be able to achieve 100 percent coverage of Fiji in about two to two and half years' time completely, but in 18 months' time, we should be able to get 92 percent coverage throughout Fiji, and have five channels available from the three Free-to-Air television stations that we have.

Madam Speaker, of course, this means that we are able to then, through the Ministry of Education and various other channels, be able to highlight more educational programmes because of the capacity that is built-in because of Digital Television. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Supplementary question; I will give the first question to Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Madam Speaker, I would like to thank the Honourable Minister for the comprehensive explanations on the steps taken. The issue is that, what the Honourable Minister is trying to explain is already in existence - the facilities and the infrastructure are already in existence with the *Fiji TV*.

However, when the sale took place between the Sky Pacific and Digicel, most of the Sky customers are not accessible to the local content, especially the *Fiji One* News and all other programmes. What we are trying to ask the Honourable Minister is; how is the Government planning to extend this coverage to those *Sky Pacific* customers, who no longer have accessibility to *Fiji One* content because of the condition of the sale that was made?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, if that was the question, then why did he not ask the question, and I think he has already asked the question in a similar fashion.

Madam Speaker, I have already answered the question. The answer to this is this - we are trying to invest a new technology in Digital Television, and within 18 months' time we will be able to get Free to-Air television coverage at 92 percent of Fiji. Then, of course, within six months to one year time from then, we will be able to get 100 percent coverage, and it is Free-to-Air. It is not through Pay TV, but Free-to-Air television, Madam Speaker.

Madam Speaker, he is obsessed with *Sky Pacific*. Just yesterday, we have approved, they had applied. They in fact wanted four of the channels off, so they have asked for the removal of *Fox Crime*, *FX*, *Fox Family Movies* and *Trinity Broadcast Network*. They have now replaced those with

Paramount Channel, TV One Life, the 5 Sports Channel and BPL, in replacement of those. So, the answers has already been given, Madam Speaker.

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

HON. N. NAIWAIKULA.- My question, Madam Speaker, to those people who lost the signal as a result of that commercial transaction, are there plans by Government to compensate or assist them?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the reality is that paid subscription depends on the channels being offered by the pay company and there are the terms and conditions that they have, and they have agreed to that. No point of compensation.

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

HON. ROKO T.T.S. DRAUNIDALO.- The question is; can the Honourable Minister tell us who is going to pay or pick up the costs of the dealings to this new Digital TV?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. Madam Speaker, we have a Government owned company called *Walesi* that has been set up, and we have trust fund monies that had been accumulated over the number of years. Those trust fund monies is sourced from incoming international calls. These are the same trust fund monies that have been used to set up Government Tele-centres throughout Fiji. As you know, we have a lot of Government Tele-centres and that is where the fund is coming from.

HON. SPEAKER.- Thank you. I give the floor to the Honourable Ratu Kiliraki, the last question.

HON. RATU K. KILIRAKI.- Madam Speaker, a supplementary question; the country is geared towards Rio, especially our seven-a-side team, the prospect of winning gold. My question addresses those who are not accessible to *Fiji One* through *Sky Television*. Will the Government be able to accommodate those unfortunate and potential viewers in this arrangement?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Member thinks that there is only one television station in Fiji - *Fiji One*, there is also *FBC, Mai TV* and in particular, *FBC* has the right to provide the television coverage.

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

HON. J. DULAKIVERATA asked Government, upon notice:

Can the Honourable Attorney-General, Minister for Finance, Public Enterprises, Civil Service and Communications inform the House as to the progress of the formulation of the 5 Year and 20 Year Development Plans, which are expected to be finalised by the second quarter of 2016? Thank you.

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

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. The 5 and 20 Year Development Plans are very important. We had given an undertaking to this Parliament that it will be ready sometime this year.

Madam Speaker, as we know that *TC Winston* has left, not just a trail of devastation but has also caused the number of the delays in some of the areas of Government policy formulation and also in terms of infrastructure development, even for that matter.

It has an impact on the timeline for the development plan. A number of the officers from the National Planning was also based with NDMO during that period and some of them were, of course, involved in the formulation of that Report.

Madam Speaker, work will again recommence. We are hoping to go out again to the public on 4th July this year, once the Budget process is completed, to be able to have the second round. We have also been fortunate enough to get the services of a consultant from the Asian Development Bank (ADB) and also from the Australian Department of Foreign Affairs and Trade (DFAT) for giving us technical assistance guidance on the finalisation of the development plan. We also have, Madam Speaker, a Global Green Growth Institute expert, who is also within the team, to be able to help us focus on the climate change issues and the idea is to mainstream the Development Plan, of course.

Madam Speaker, we will be able to give a much better timeframe in respect of when actually the Development Plan will be issued, but we are hoping that it should be finalised by the end of this year and should be ready for presentation to Parliament either at the end of the year or early next year. Thank you Madam Speaker.

HON. SPEAKER.- Thank you. There being no supplementary questions, we will now give the floor to the Honourable Ro Teimumu Kepa, the Leader of the Opposition.

Review of the Town Planning Act
(Question No. 100/2016)

HON. RO T.V. KEPA asked the Government, upon notice:

Can the Honourable Minister for Local Government, Housing and Environment Infrastructure and Transport inform the House on the progress of the public consultations undertaken by the Ministry on the review of the Town Planning Act (Cap. 139) and the Subdivision of Land Act (Cap. 140)?

Thank you Madam Speaker.

HON. P.B. KUMAR.- (Minister for Local Government, Housing and Environment Infrastructure and Transport).- Thank you, Madam Speaker, and I also thank the Honourable Leader of the Opposition.

Madam Speaker, the revision of both the Acts began in 2014, in consultation with the stakeholders, public utility providers, professional institutes, local authorities and Town and City Councils.

Madam Speaker, Draft Acts have been prepared with the assistance from the Solicitor-General's Office. Consultation on the Draft Bill began in November, 2015 for a month in the Central Division, in the Western Division from mid-January to mid-February, and in the Northern Division after *Cyclone Winston*.

Madam Speaker, the consultations for the Nausori and Navua areas was concluded yesterday, and the areas in Nasinu that were not covered last year will see the consultation beginning on Monday 6th June, 2016. So far, a total of 48 consultations had been carried out.

Madam Speaker, everyone is invited to contribute towards this revision exercise, and we shall value every individual's comment received during the consultation exercise.

The consultation exercise will conclude at the end of June 2016 after which, summary reports shall be tabled through the Solicitor-General's Office for further consultation and necessary action.

Madam Speaker, may I request that we do not pre-empt the recommendation of the Committee that is in place. Thank you.

HON. SPEAKER.- Thank you. Supplementary question, the Honourable Leader of the Opposition.

HON. RO T.V. KEPA.- Madam Speaker, we are not pre-empting anything that is to do with a *bona fide* report, Madam Speaker, but as a ratepayer where we are paying city and town rates, as well as garbage rates, which are added on to the city rates; my question is, when will this be finalised so that municipal councils are in place and the ratepayers are represented on those councils? Thank you Madam Speaker.

HON. SPEAKER.- The Honourable Minister.

HON. P.B. KUMAR.- Thank you. Madam Speaker, as I have stated this earlier on, time and again...

(Laughter)

HON. P.B. KUMAR.- ...let this exercise finish, there is a process. Once it is done, then we will be ready for that.

(Laughter)

HON. SPEAKER.- Thank you. You are allowed only one supplementary question, the Honourable Leader of the Opposition. I give the floor to the Honourable Nawaikula.

HON. NAWAIKULA.- Can you give us the date, please? A date by when?

(Laughter)

HON. P.B. KUMAR.- Madam Speaker, this is the same Honourable Member who asked me the last time; “Give me the date, give me the date.”

(Laughter)

Madam Speaker, yesterday, the motion by the Opposition that was brought in regards to sugar, they want to really test the ground for the farmers. Now, they want to test the ground for ratepayers but let me tell them; “We know what we are doing, when the time is right, when the process is finished, we will tell you. Thank you.

(Chorus of interjections)

HON. SPEAKER.- Thank you, Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Madam Speaker, I would like to ask a supplementary question to the Honourable Minister; can the Honourable Minister inform this House, whether this part of consultation process will also determine the timing of the Municipal Council Elections?

HON. SPEAKER.- Honourable Minister.

HON. P.B. KUMAR.- Thank you, Madam Speaker. Madam Speaker, this review is part of the review that we had taken last year in terms of reviewing the Local Government Act. This is part of that review. Thank you.

HON. SPEAKER.- Thank you. There being no other supplementary questions, we will move on to the next Item on the Agenda.

Written Questions

HON. SPEAKER.- I now invite the Hon. Aseri Radrodro to ask his written question.

New Water Meter Connections
(Question No. 101/2016)

HON. A.M. RADRODRO asked the Government, upon notice:

Can the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport inform the House.—

- (i) how much do consumers have to pay for new water meter connections to residences, on average;
- (ii) has this cost increased in recent years; and
- (iii) how many new water meter connections were made in the last six months?

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Minister for Local Government, Housing and Environment, Infrastructure and Transport.

HON. P.B. KUMAR (Minister for Local Government, Housing and Environment, Infrastructure and Transport).- Thank you, Madam Speaker and I also thank the Honourable Member for the question. Madam Speaker, I will table my response at a later sitting date as permitted under Standing Order 45(3). Thank you.

HON. SPEAKER.- Thank you. We will move on to the second Written Question. I invite the Honourable Ro Teimumu Kepa to have the floor.

Established Technical Colleges
(Question No. 102/2016)

HON. RO T.V.KEPA asked the Government, upon notice:

Can the Honourable Minister for Education, Heritage and Arts inform the House.—

- (i) how many Technical Colleges have been established;
- (ii) have they all been approved for registration by the Higher Education Commission; and
- (iii) for each of the registered Technical College, how many students have taken student loans?

Thank you Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Minister for Education, Heritage and Arts.

HON. DR. M. REDDY (Minister for Education, Heritage and Arts).- Madam Speaker, I will table my response at a later sitting date as permitted under Standing 45(3). Thank you.

HON. SPEAKER.- Honourable Members, Question Time is now over.

Thank you Hon. Members, we will now break for lunch and we will resume at 2.30 in the afternoon.

The Parliament adjourned at 12.33p.m.

The Parliament resumed at 2.33 p.m.

HON. SPEAKER.- Thank you, Honourable Members, you may be seated. Thank you, Honourable Members, we will continue from where we left off in the Order Paper.

The Honourable Attorney-General and Minister for Finance, Public Enterprises, Civil Service and Communications; the Honourable Minister for Defence, National Security and Immigration; the Honourable Minister for Women, Children and Poverty Alleviation; and the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport have 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 the Opposition or her designate to speak on their statements 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. There will be no other debate.

I now call on the Honourable Attorney-General and Minister for Finance, Public Enterprises, Civil Service and Communications to deliver his statement.

STATEMENTS BY MINISTERS

Update Report – ‘Help for Homes’ Initiative

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, I would like to make a Ministerial Statement giving this Honourable Parliament an update in respect of the ‘Help for Homes’ initiative.

Madam Speaker, the Help for Homes Initiative was launched by the Honourable Prime Minister on 9th April, 2016, in response to the resounding call by ordinary Fijians whose homes were completely demolished, or partially demolished, or the roofs had been completely blown away.

Madam Speaker, the extent of the damage was very vast as has already been highlighted, we lost 44 lives, and it is estimated that nearly 40,000 homes, predominantly in the maritime, rural areas and deep rural areas were damaged by this cyclone which, Madam Speaker, many people tend to forget was in fact the second strongest storm recorded ever in the world, and in fact, the strongest storm ever recorded in the Southern Hemisphere.

Madam Speaker, to provide direct assistance and to build directly these homes for these people, notwithstanding the fact that there is no legal obligation to do so could have in fact taken years. And given the fact that many of these homes, Madam Speaker, that were in the rural areas were built by people themselves in the first place, Government, as a quick response, came up with the Help for Homes Initiative.

We have worked as you know, Madam Speaker, together with the Fiji Institution of Engineers in the Adopt School Programme. We also then used their services and asked for

their assistance in respect of the Help for Homes Initiative. There were a number of key hardware suppliers that were identified that were required to, in particular for example, build homes or to repair the vast number of roofs that have been completely blown away or partially damaged. Of course, prior to that we had also the NDMO team that had gone out through the various Divisional Commissioners and they also carried out assessments as much as possible within the very trying circumstances. Madam Speaker, once this initiative was worked out, we partnered with the Fiji Institution of Engineers, we also, Madam Speaker, worked together with the hardware companies to ensure that we had delivery of these hardware materials as per the standards required.

A number of hardware materials were identified, Madam Speaker, and I have the extensive list. You would have seen this published in the newspaper which specifically highlights, for example, what type of timber is required, what type of electrical cabling is required and what standard is required and then consequently Expressions of Interest were put out in the newspaper to get hardware companies to tell us what would be the maximum price they will charge for that.

However, before I go into more detail, Madam Speaker, I would like to highlight a couple of passages from the Honourable Prime Minister's speech when he launched this initiative, in which he says and I quote:

“As you all know I travelled throughout the country within the past seven weeks listening to ordinary Fijians about what they need to get back on their feet and the overwhelming request has been for resources they need to rebuild their homes.

So, today we are responding to those requests by announcing the new Help for Homes Initiative. This initiative is intended to help Fijians prepare their homes themselves by giving them access to building materials. These ladies and gentlemen is not a hand-out, it is a leg-up. This initiative was designed to benefit affected Fijians who do not have the means to finance repairs on their own. Households whose annual income falls under \$50,000 a year, these households receive a prepaid electronic card like M-Paisa with a set amount on it and a PIN number to purchase the building materials from selected hardware outlets.

The amount on the card will depend on the amount of damage in the people's homes; a \$1,500 limit for partial roofing damage, \$3,000 limit for serious roofing damage and a \$7,000 limit for almost or completely demolished houses. These individuals would not be restricted to purchasing from only one hardware, for example, the cost of timber may be cheaper at one outlet and the cost of corrugated tin may be cheaper at another company. The cards will guarantee Fijians the flexibility to take advantage of the competition between hardware outlets and encourage everyone to be thrifty, maximise the funds you have been given and be a smart shopper.”

Madam Speaker, the Honourable Prime Minister also went on to highlight that when these cards are given, they will also be given various literature and information regarding how to construct their homes and how to rebuild. Madam Speaker, as we have seen and this is an example of what was given out, it is in the vernacular languages also, tips to build back safer,

it is in the other two vernacular languages, it tells you how to strap, what to do when the roofing iron is blown away, et cetera. We had also similar booklets that were given by way of information.

Madam Speaker, once the Expressions of Interest were called, we identified, and various hardware companies had to meet minimum standards for example, compliance or its tax regulation, FNPF compliance et cetera, and their ability to supply. The task of disbursing these cards was given to the Ministry of Women, Children and Poverty Alleviation, given the fact that they are the Welfare Ministry through which we have given out various forms of welfare assistance and they had their teams combined with some of the other ministries and they started all over the affected parts of Fiji as identified as what we call the “red zone” by NDMO.

We also created another category of people who were also given \$1,500 and these were the people who were living on squatter land or *vakavanua* arrangements that they have. The other people received \$1,500, \$3,000 and \$7,000, as long as they were members of a land owning unit, they belonged to that *tokatoka* or *mataqali*, they would get the full amount as per the damage for people who had leased land or perhaps indeed may have had freehold land, which was very few.

Madam Speaker, to-date, we have since three weeks assisted a total of 22,083 homes. The funding for this has come through the redeployment of funds that was allocated for the 2016 Budget and to-date, we have allocated \$83 million.

Madam Speaker, as I have highlighted, the building codes had to be adhered to on these diagrams with people who were assisted. We also, as you know, Madam Speaker, this Honourable Parliament also approved a law that made it illegal for people to make false declarations and the manner in which this system worked was that you had to make a declaration on a form. You had to say what you required, what was the extent of the damage of your home and accordingly you were given a card.

Madam Speaker, we also had another arrangement where people could also ask for re-imbursments because as we had seen after the *Cyclone Winston*, some people took the initiative where in a couple of instances that I am personally aware of, where we had visited for example in Ba, they had gone off to their employers and borrowed money from their employers to put their roof back on their homes. So people such as those and who earned less than \$50,000 could also ask for a re-imbusement of the monies that they had expended.

In that respect, Madam Speaker, we have 454 applications. None of those monies have been paid out because there is a lot more rigorous test because people at homes are actually physically visited; they need to provide the documentation to say that that is exactly how much money they have spent. But in terms of the breakdown, we have:

- a) 29 - Eastern Division
- b) 3 - Cakaudrove
- c) 13 – Taveuni

- d) 13 – Naitasiri
- e) 56 – Ba
- f) 148 – Tavua
- g) 146 – Ra
- h) 40 – Lautoka
- i) 6 – Tailevu.

These are the number of applications for people who have asked for re-imburements.

Madam Speaker, we have also provided an opportunity for those people who live in the maritime islands to be able to also fall under this particular initiative and we have had people, in particular, in Suva where the centre was setup, where 509 homes have been assisted in Vanua Balavu and 2,562 homes have been assisted in Lomaiviti. I can read out some of the names of the villages in Vanua Balavu, there is quite few of them but if the Honourable Members of the other side are interested, I can provide you this list. We also have a number of villages in the Lomaiviti Group; they are close to about two dozen villages.

Madam Speaker, of course the logistics of it, we simply cannot give them the card and expect them to cart their hardware to these islands. Government is also providing specified shipping services for them to be able to take their goods, but we obviously needed the volume. So I am glad to also announce also Madam Speaker, that the hardware material delivery to Koro Island will be on this Saturday, 4th June by Patterson Shipping. Approximately 300 tonnes of building materials will be delivered, delivery to Nairai, Batiki and Moturiki via Government barge will depart from Suva on Wednesday, 8th June and delivery to the Yasawa Group via Government barge will depart from Lautoka on Wednesday, 8th June. Vanua Balavu and Taveuni schedules are to be fixed in the next few days in order for those people who have bought their hardware through this facility to be able to take their goods down to their respective islands in those areas.

Madam Speaker, we have also selected some one or two minor issues here and there and of course, we had some people who were initially confused about what amounts they needed to get. These were some of the teething issues that we had at the beginning but I am glad to say as the Minister for Social Welfare, Children and Poverty Alleviation I should say, will testify that these matters were resolved very very quickly.

Madam Speaker, we have also had the Finance Audit Team that carried out random checks or if certain applications were referred to them by the Ministry of Poverty Alleviation staff who felt that perhaps there may be something suspicious. A number of random audit checks were carried out and, Madam Speaker, we unfortunately have to also say that about 36 cases have been submitted to the Police for criminal investigation, out of which we understand 11 people have been charged for providing false information. Of them, four are from Ba, seven from the Tavua area and we understand another three from Tavua, their files will also be sent to the DPP's office. These prosecutions are conducted by the DPP's office.

Madam Speaker, we have had an overwhelming response to this initiative which is unprecedented in a manner in which it has been delivered and I have got a number of testimonials here, Madam Speaker, from ordinary Fijians who have been extremely

appreciative of the fact that they have access to these hardware materials that they would not otherwise have had access to nor if they had actually waited for, the construction of it, they would have had to wait for a few years given the fact that the extent of the devastation was very vast and it extended across right from the East to the West of Fiji.

Madam Speaker, I just want to read a couple of them:

Mr. Satui who said, "I am a sugarcane farmer and I was raised up in this community. I have lived in my family house for years which was fully destroyed during *Cyclone Winston*. After the cyclone I had to stay with my neighbours for three days, then we went on to build a temporary shelter by collecting a few damaged roofing irons that lay on the ground. At the back of our minds, we prayed that somehow we will be able to recover the things that we had lost."

He said that rebuilding his family house would have only been a dream if it was not for Government's assistance.

We also have, for example, a number of other people giving their testimonials.

Ratu Peni, "We thank the Prime Minister for his Help for Homes Programme. Most of the families in my village had received the e-card last week and have purchased the hardware materials to rebuild their homes. We are happy with the response from the Government to assist rural villages that have been affected."

Ms. Sami, "I would like to thank the Fijian Government for helping us rebuild our house and also for providing food rations. I am pleased that I have received assistance of \$3,000 to help me rebuild my family home which was partially damaged in *Cyclone Winston*. I am also assisted through the monthly social pension scheme. This Government has recognised the welfare of the senior citizens in Fiji."

There are number of these peoples who have provided testimonials, Madam Speaker, but I would also like to show and of course the Members of Parliament can see that. This is a full list of all the 24,000-odd people who have received assistance. It gives a breakdown of their districts, *tikina*, first name, surname, residential address, gender and the amount of money that they have received. Madam Speaker, it was also very pleasing to know that a number of people have already started building their homes and have completed their homes.

There has been an issue in some instances where there has been a delay in the time that the goods were ordered, and the time that the goods could be delivered and this of course has been highlighted earlier on in the week in this Parliament that there has in fact been a shortage of building supplies because of the huge demand for the reconstruction. We have to remember that it is not only the rural areas that were affected, there were also people in the urban areas in some of the towns and centres that are also demanding for these goods and services.

So, Madam Speaker, we are quite pleased with this initiative, we have had overwhelming response. We hope to now, following an assessment, there is still a couple of teams out, from tomorrow they will complete by Saturday and we expect that we will be expanding about \$85 million. As I have said earlier on, Madam Speaker, that these funds were redeployed from the budgetary allocation that had already made for 2016 and we re-prioritised and some of the areas, for example, we knew that monies could not be expended, we have redeployed funds from those spending areas, including FRA.

Madam Speaker, we hope to now, there is of course a lot of questions saying, “when are we going to other areas?”. Our main focus was to look at the red zone areas, once we fulfilled that, we carry out an assessment and then we will be making further announcements in respect for the Help for Homes Initiative in terms of its extension to other areas.

We would like to take this opportunity, Madam Speaker, to also thank Vodafone that actually has provided these cards as part of their contribution and donation towards the *Cyclone Winston* relief efforts. These cards obviously cost money and we would like to thank them for that and the technology that they have provided for those who may not be aware, Madam Speaker, when people actually came and to fill out the forms, they filled the forms on the spot, they had to bring a form of identification at the same time we had the Elections Office present. If people had lost, for example their Voter ID cards, they could get the ID cards re-issued. Indeed some people went and did fresh registration and Madam Speaker, then once it was approved, they actually set in front of the laptop, their photographs were taken, it was captured in the image and then they were issued the card and they had their own PIN number.

So many people were also given an opportunity to try new technology which they have not used before. Some of these rural people had never had an ATM card, for example, they have never used a PIN number before, so they were given access to this new technology which in itself was quite empowering for them, Madam Speaker.

We also would like to thank the hardware stores in respect of the provision, there are about 10 successful companies throughout Fiji that were given assistance. In some of the areas, Madam Speaker, I have to highlight where the assessments had been done, there were more people who were given assistance. For example in Taveuni, there were more people in fact who had come along and said that their homes had been damaged and of course those cheques were done and were given those cards. So, all in all, I would like to thank everyone for their contribution to this initiative, Madam Speaker, and we were glad that Government could step up and provide these assistance to ordinary Fijians, in particular in the maritime and the rural areas. Thank you very much.

HON. SPEAKER.- Thank you very much. Just before we carry on, I would just like to extend a very warm welcome to the students of Gospel High School here this afternoon. Thank you for your interest in Parliament and also the other members of the public who are here in the gallery.

I now call on the Honourable Leader of the Opposition or her designate to deliver their response.

HON. M.D. BULITAVU.- Thank you Madam Speaker, I rise to respond and share the views of SODELPA as Opposition.

Madam Speaker, from the outset I would like to say that the outcome that we really need is to build homes that are cyclone resistant, homes that can withstand a cyclone with a big magnitude like *TC Winston*. Most of the homes that were destroyed, Madam Speaker, the materials had reached villages but it really is useless to re-build those homes in the same area where their old home was blown away by *TC Winston*.

Most of these homes need reclaim to fill up so that the village can rise above sea level, Madam Speaker. Some need relocation of villages, the problem with the initiative that the Honourable Minister has enlightened the House, straight away after *TC Winston*, a Government assessment by the NDMO was conducted by the RFMF collecting information, the data from the people. But the card is concurrently being distributed by the Ministry of Women, and that is why Madam Speaker, we now have cases of false information. If the data was collected during the assessment by the NDMO officials last year from the Commissioners of our various Divisions, it would have limited the amount of information or it would have lessened the case which is now about 36, Madam Speaker.

We are wasting the Court's time, we are wasting taxpayers' money with regards to the Police and even Fiji Corrections Service, if the officials from the Ministry of Women would have gone back to reassess those applications and identify, this could have been resolved there and then, now to charge people when they have committed an offense or have filed false information, it is wasting taxpayer's money, Madam Speaker. I am talking about the method, Madam Speaker, on how Government could have done this.

I will talk about another initiative where some of the portable sawmills have been sent to villages, timbers have been sold, Madam Speaker, but they have not been treated. So the standard of the buildings will be similar just before *TC Winston*. Only hardware materials can be purchased from the \$7,000, \$3,000 and from the \$1,500 Madam Speaker?

HON. M.D. BULITAVU.- The other thing, Madam Speaker, is the transportation cost from the hardware shops to the villages on land. The Honourable Minister talked about the Government vessels going to islands but they only reach the wharf, from the wharf to the villages they have to pay. I am talking about reality, ground situation.

Madam Speaker, we see Vinod Patel & Co. Limited in an advertisement on television saying that they are giving cash initiatives for those who come and use their card at their hardware shop. Only the hardware stores benefit from these kinds of initiative, Madam Speaker. R.C. Manubhai & Co. Limited has announced that they will pay for transportation if the card is used at their store.

HON. GOVERNMENT MEMBER.- Competition!

HON. M.D. BULITAVU.- It is not competition, it is just a lack of foresight and the lack of ideas by the Government, Madam Speaker.

(Chorus of interjections)

HON. M.D. BULITAVU.- I will give an alternative, what Government should have done to this kind of situation.

(Chorus of interjections)

HON. M.D. BULITAVU.- Madam Speaker, the alternative that I propose, when the Honourable Minister for National Disaster Management was asked during the last session what Government should have done, just bought the materials, set up construction teams with the RFMF engineers, deploy them to districts and they build.

(Chorus of interjections)

HON. M.D. BULITAVU.- Because who will build the houses? They will build the houses. The Honourable Attorney-General had said that most of those rural houses were built by themselves. It is useless to give them the materials as they cannot pay labour, they cannot pay the carpenters, and as they rebuild they do not have any knowledge....

(Chorus of interjections)

HON. M.D. BULITAVU.- Deploy RFMF engineers with the construction team through the divisional engineers, that should have been the better method than giving out cards and letting people build their own homes. They will not comply with the building code. The building code does not apply to native reserves and villages because there is a limitation to the laws of Town and Country Planning. Those are some of the things that the Honourable Attorney-General should consider.

(Applause)

HON. SPEAKER.- Thank you, I now call on the designate of the Leader of the National Federation Party for their response.

HON. P. SINGH.- Madam Speaker, I thank the Honourable Attorney-General for the statement and I must say that the devastation caused by *TC Winston* really devastated the lives of many in this country and any initiative to assist these people is most welcomed. I do thank the Government, I commend the Government for this initiative and

HON. DR. M. REDDY.- Be honest!

HON. P. SINGH.- We have always been honest, Honourable Reddy.

HON. DR. M. REDDY.- Okay.

HON. P. SINGH.- Madam Speaker, I note that in his statement, the Honourable Attorney-General has outlined the procedures that were involved in disbursing these electronic cards and general assistance to the people.

Madam Speaker, there are few issues that I would like to raise, probably where the Honourable Attorney-General would like to see in future once his extending this programme so that it can complement the programme itself.

One is the informal sector, the squatter settlements. They are entitled to \$1,500 that is the *vakavanua* concept. Madam Speaker, if you are giving them the \$1,500 and you are asking them to adhere to the building code, I think that is asking too much of these people.

As alluded to by Honourable Bultavu, I think \$1,500 of building materials alone will only result in building a shack, like the one he had before. So, I hope the other side take these comments positively, we are trying to contribute to these, and Madam Speaker, it is also heartening to note that people who have built their houses on their own after the cyclone can now apply for grant to replenish whatever they have spent, provided they are within the ambits of the scheme.

Having said that, Madam Speaker, this Help for Home Initiative is targeted at the housing side, and I think people need food and homes before they need anything else. Now, what the Government needs to do is, we have asked this in the last session, and I ask here again, what is and when is the Post-Disaster Needs Assessment Report going to be tabled in Parliament? Because once that is tabled, then only we will come to know how holistically we can address the various issues. I believe that Report is out and the Honourable Minister had promised that it will be tabled soon.

Madam Speaker, whilst Help for Homes is a good initiative, it lacks the administrative capabilities, hence, some of the recipients are having problems in complying. We have a series of breaches of the declarations, and many of these recipients had inadvertently stated that they were entitled to \$7,000, when in fact, they were entitled to \$1,500 because the forms were designed in such a way. And, Madam Speaker, as you know, the two cases that are before the courts, these are simply the two people who have been charged, and as reported, their only crime is that they asked for \$7,000, when they were entitled to \$1,500.

These are the things that should have been verified by the Ministry or the agency who is handling this, and also send the NDMO team because they carried out a very good assessment. Only when the Needs Assessment Reports is available, then only we will be able to say where these areas need more attention.

Madam Speaker, now that the Help for Homes is on the way, the holistic way to look at this would be, how do we extend this to cane and non-cane areas in agriculture, with income support and crop rehabilitation.

Madam Speaker the infrastructure like roads, bridges, FEA along with water reticulation issues, Madam, a holistic approach so that the post-recovery of *Cyclone Winston* comes into effect, so that the lives of the people can return to normal. Thank you.

HON. SPEAKER.- Thank you. I now call on the Honourable Minister for Defence, National Security and Immigration to deliver his Statement.

Update on the status of Peacekeeping Operations with the
United Nations in the Middle-East and Northern East Africa

HON. CAPT. T.L. NATUVA.- Madam Speaker, the Honourable Deputy Prime Minister, the Honourable Leader of Opposition and Honourable Members of Parliament: I rise to thank you for the opportunity to update this noble House the status of our Peacekeeping Operations (PKO) with the United Nations (UN) in the Middle-East and Northern-East Africa.

Also, Madam Speaker, given the latest security developments in Sinai, Egypt, I wish to also speak on the Multi-National Force and Observers (MFO) concerning the development on our troops serving with the MFO.

Madam Speaker, currently we have 643 Republic of Fiji Military Forces (RFMF), Fiji Police Force and Fiji Corrections Service personnel serving on the United Nations (UN), and the other 338 with the Multi-national Force and Observers (MFO) deployed in missions overseas.

Since my last update on our PKO status, we have all seen the building instability in the region of our deployed personnel and the increased uncertainty that they face in the changing paradigms of fluid circumstances, but of course, the confidence in them is evident for them to be considered for such endeavours for service to the nation and to the globe.

In the last month or so, Madam Speaker, there have been rotations to our deployed missions to Sudan and Dafur with United Nations Mission in South Sudan (UNMISS) and United Nations Mission in Dafur (UNAMID) respectively where the Police contingent have rotated already for both missions, and as well as our RFMF officers serving in UNMISS.

UNMISS and UNAMID: Madam Speaker, the Fiji Police commitment to the South Sudan and in Dafur in Sudan as mentioned earlier will experience shortly the rotation of deployed Officers.

As I had mentioned, that there has been a recent rotation conducted with our Police contingent in South Sudan with also the most senior female deployed officer, SSP Unaisi Vuniwaqa a member of the rotation.

Madam Speaker, the situation in both Dafur and in South Sudan is very similar with certain frequent frictions that sometimes result in violent clashes between pro-Government and anti-Government elements and also traditional rival conflicts between factions and tribal opponents.

The situation is quite unpredictable, given the sway of politics in the country and region and of the sometimes rigid perception that the locals have on the UN Force. Some influential

locals and opposition still have the hinted notion that the UN sometimes has bias interests and this encapsulates the irregular security environment.

Added to these safety issues, our personnel face some local infections such as mosquito borne diseases as malaria, dengue or heat sicknesses, et cetera, and our personnel are not only advised on the necessary precautions but provided ample medical services and aid by the UN to counter and/or mitigate these prone viruses.

Madam Speaker, the reputable relations forged by Fiji personnel in Dafur by the Fiji Police Force, and in South Sudan by our Fiji Police Force, Fiji Corrections Service and RFMF personnel deployed there have been successful and this has significantly enhanced the observation and perception by UNMISS of the Fiji contingent service quality during operations and transitional rotations of personnel.

UNMISS and UNAMID HQ continues to assure Troop Contributing Countries (TCC) the safety and security of our personnel in the Area of Operations despite some field areas of deployment considered quite isolated.

UNDOF: Madam Speaker, the United Nations Disengagement and Observer Force (UNDOF) mission in the Golan Heights explicitly states the requirement for the Force to use its best efforts to enforce the mandate. The current temporary relocation provides UNDOF with a less than optimal capacity to achieve this - focused as it is on the Alpha Side, since September of 2014.

The Fiji contingent serving with UNDOF in the Golan still remain on the Alpha side of the Area of Separation (AOS) in Israel.

The troops, Madam Speaker, are providing protection on location at the Area of Separation (AOS) on UN Position 80. Further, Madam Speaker, the Fiji contingent also provides support to four (4) locations occupied by the Nepalese UNDOF personnel north of the Area of Operation (AO) towards Mount Hermon. Additionally, Madam Speaker, the rest of the Fiji contingent continues to provide personnel as support elements at UNDOF HQ.

Madam Speaker, UNDOF still undergoes the process and intention to reoccupy the Bravo Zone of the AOS on the Syrian side despite the continued clashes between the Syrian Arab Armed Forces (SAAF) and the Anti - Government Armed Elements (AGAE). UNDOF, on return to the Bravo Side of the AOS, partially or in full, will not be the force that relocated almost two years ago. It will be characterised by protected mobility, a patrolling and observing capability with the integration of smart technologies being the central pillar of the operational design.

It is also important to consider the fact that UNDOF has had most of the Force relocated on the Alpha side of the Area of Separation for almost two years, since September 2014. In that time, the mission has been unable to move beyond the status quo due to a non-permissive operating environment. That non-permissive environment no longer exists in the areas of UNDOF is considering positive for the commencement of an incremental return.

Madam Speaker, the Fiji contingent in UNDOF will continue in the support

responsibilities required of us. Fiji remains steadfast in the commitment to the UNDOF mandate and mission leadership with the next rotation due for late July, 2016. This rotation is significant in that. The deployed personnel will be accompanied by the first equipment from the Russian Military aid to Fiji.

UNAMI, Iraq: Madam Speaker, the United Nations Assistance Mission to Iraq (UNAMI) continues with the normal operations as mandated.

Madam Speaker, the Iraq general situation remains volatile as well with an increase of demonstrations and clashes with government and anti-government protesters and affiliates. The Fiji contingent continues to man and guard the UNAMI Headquarters under the mandate.

UNAMI is mandated to advise and assist the government and people of Iraq on a number of fronts. This includes advancing inclusive, political dialogue and national reconciliation, assisting in the electoral process and in the planning for a national census, facilitating regional dialogue between Iraq and its neighbours, and promoting the protection of human rights and judicial and legal reform.

Fiji troops with UNAMI are tasked as the Guard Unit responsible for the safety of UNAMI staff and installations in Iraq.

UNIFIL, Lebanon: In order to implement its mandate as defined by the UN Security Council resolution 1701 of 2006, the United Nations Interim Forces in Lebanon (UNIFIL) carries out a range of operations across its Area of Operations between the Litani River in the North and the Blue Line (Line of Withdrawal of the Israel Defence Forces) in the South. These include day and night-time patrols, establishment of observation points, monitoring of the Blue Line, and carrying out clearance of unexploded ordinance and cluster ammunitions.

The Line of Withdrawal, also called the “Blue Line” was identified in 2000 by the United Nations in cooperation with Lebanese and Israeli officials for the purpose of confirming the withdrawal of Israel Defence Forces (IDF) troops from Lebanese territory in conformity with Security Council Resolution 425. The Blue Line is not the border between Lebanon and Israel.

Importantly, UNIFIL operates in support of the Lebanese Armed Forces that has primary responsibility for ensuring security in the area.

Madam Speaker, the Fiji contingent deployed under the UNIFIL is mandated as the Multi-Task Protection Unit that is under the direct command and control of the Force Commander.

Madam Speaker, the situation in Lebanon whilst not as unstable as other missions, still experience the volatility because of the Mission location on the border. Reports, however indicate the quick adaptation of the Fiji contingent carrying out their duties and responsibilities efficiently.

MFO, Sinai: Madam Speaker, the situation in the United States led Multinational Observers Force (MFO) and its mandated Area of Operation in the Sinai, Egypt has dramatically changed and deteriorated since 2013.

The initial MFO reconfiguration presented and was discussed by MFO Director General and Force Commander during their visit to Fiji on 15th February, 2016, indicated that

RFMF troop numbers would remain at 338 with some changes to other Troops Contributing Countries, namely the US and Columbia Battalions respectively. However, the existing and increasing security threats, mitigation measures and continuous assessment made by MFO has led to the relocation, rebalancing and under the current circumstances, has now resulted in the reduction of numbers to the Fiji Battalion as well.

The impact of the Egyptian Government changes and its transition from the Muslim brotherhood backed Government to the current elected President and former Egyptian Army Chief General Abdel Fattah el-Sisi has led to the escalation in militant attacks against the Egyptian Armed Forces in the Sinai Peninsula. The recent security threats, assessments and Indirect Direct Fire from militants impacting El Gorah, the MFO Headquarters has prompted the MFO to rush the reconfiguration implementation that includes the relocation and rebalancing of troops on 21st May, 2016.

Given the planned reduction of RFMF MFO troop's strength from 338 to 92 personnel, this has prompted the RFMF to re-evaluate the overseas deployment plans and the insertion of returning MFO personnel into various units locally, as well and consideration of some to other overseas deployments.

The planned reduced 92 Fiji troops will be tasked at Force Protection of Civilian Observer Units based in the MFO South camp in Sharm-el-Sheikh.

This apparent reduction of Fiji troops is still at a negotiation stage with Government pursuing dialogue with the involved States of Egypt, Israel, the US and MFO Headquarters in Rome.

Madam Speaker, to conclude, Fiji's commitment to Peace Keeping Operations should and must remain steadfast. The strategic and economic benefits are evident and will continue to grow. Our political leverage as a result of our commitment will also develop. We are a superpower in peacekeeping, we are a good global citizen, let us continue this way.

Government and the RFMF continue to closely monitor the situation with the assistance of the various Mission hierarchies and the safety of our servicemen and servicewomen deployed remains paramount.

With that Madam Speaker I wish to end my statement and update this afternoon. *Vinaka Vakalevu, Dhanyavaad, Shukriya* and thank you.

HON. SPEAKER.- Thank you. I now call on the Leader of the Opposition or her designate to deliver the response.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I rise to respond to the statement by the Honourable Minister for Defence. He was providing an update on the peacekeeping areas where our troops serve.

Madam Speaker, again while we continue to applaud the efforts of our troops in areas like Dafur, Sudan, the Golan, Iraq and Lebanon, we just want to make sure that our troops, our people are well protected and well equipped. I mean these are names that we hear on CNN and BBC almost every day about the volatility of the areas, almost the centre of gravity in the world today, in the Middle East, with so much turmoil in those areas. We just want to make sure that

our sons and daughters from the islands of Fiji are well protected and well equipped in those areas.

Madam Speaker, we have often spoke on this in the past that our payment from the UN should be prompt, they should not owe us any money, we are a small economy, punching above our weights in peacekeeping duties all over the world and we need to be paid in good time so that we are not seen to be funding these huge undertaking relative to the size of our economy.

I would prevail the Government, Madam Speaker, to be watchful on that particular aspect of our concern as part of the Opposition.

Madam Speaker, Sinai, I think for most of us evokes something special in most of us; Sinai, where the children of Israel had journeyed through from Egypt to Israel and Sinai was where Moses was given the Ten Commandments. For most of us, it is a very special place. Personally for me, I always envy our boys who have been to Sinai; it means so much to me. And Sinai, Madam Speaker, was conquered by the Israelis in the six-day war in 1967 from the Egyptians and in 1978 through a peace accord, co-ordinated by President Carter between Anwar Sadat of Egypt and Menachem Begin of Israel, it went back to Egypt, hence our participation there in peacekeeping duties. It means so much to us historically and going back to the peace process back then, the Camp David Peace Process, I believe in 1978, I just wish we would remain there. I know the situation is very delicate, but if the Americans who are underwriting these peacekeeping duties, if they are there perhaps it is premature to reduce our strength from 339 to 92 at this juncture.

Again, Madam Speaker, I am mindful of the danger that our troops face. We rely on the security assessment on the ground, but it just that Sinai means so much to us. Sinai, I believe, we have shown how good we are by taking up the challenge in the Golan Heights when other countries had pulled out about two years ago, I just wonder if we were too hasty in pulling out from where we have been, I believe as far back as 1978 to today. I would ask Government to do this carefully, Madam Speaker, of course, safety being paramount but our presence there, if the Americans are there, I think we should stick with them. Thank you, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. I will now call upon the designate of the Leader of the National Federation Party to speak in response.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. I agree with what the Honourable Gavoka has already said about the Ministerial Statement, the safety of the Fijians who are there is paramount, but I would also like to emphasise, Madam Speaker that it is a service that the Government of Fiji is providing to the United Nations. The United Nations should pay for that and they are already behind in the little amount of money that they pay to subsidise, to give back money that the Government has expended on having a Force so large, Madam Speaker.

I think the last budget that was approved directly and indirectly, there is about \$300 million that went to supporting such a large military and mainly it is to sustain this peacekeeping operation, Madam Speaker, and I think in return for that one year, the Minister

may correct me, but it is really a little fraction of that which the United Nations pays to the Government of Fiji.

We do not have the resources. If Australia did that, that is fine, they have got all the money in the world to be spending on the United Nations activities. We have to do our part in the world, Madam Speaker, but we are not that wealthy, we are not as wealthy as Australia and New Zealand. We should not be paying for the United Nations and the Minister has said many times, and I do not doubt that Fijians are one of, if not, the best peacekeepers out there in the world and they should be paid, the Government of Fiji should be paid, Madam Speaker, the appropriate fee like any other service, just like our Fijian rugby players go and earn top dollars overseas when they join the All Blacks or the Australian team. The Fijian peacekeepers should be rewarded in the same way through the Fiji Government that expends so much of its money, which we do not have very much of, on that service.

That is my contribution and I know I have said it many times, Madam Speaker, we just want that money to be returned to the Government of Fiji because if that money can be returned, the Honourable Gavoka asked this morning for free tuition in all colleges, we can afford that.

(Hon. Members interject)

HON. ROKO T.T.S. DRAUNIDALO.- We can afford what he has asked for in the petition without even having to refer it to a Committee if we told the United Nations, “we are providing a service, you say it is an excellent service, pay us the money.”

Madam Speaker, there was a report by the Committee on Foreign Affairs and Defence and there was a recommendation that perhaps the Fiji Military can expand its services. Again, it is a way of rewarding our soldiers for all that service that they have given for many years, Madam Speaker, they could move out of peace-keeping and go into the political division and the humanitarian division services, and I am sure Fijians will excel there too. In terms of their welfare, the Honourable Gavoka had brought a petition earlier in Parliament last year talked about that and we support that, Madam Speaker, and again, the bottom line is, “United Nations you want the service, pay, show us the money”. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now call on the Honourable Minister for Women, Children and Poverty Alleviation to deliver her statement.

Domestic Violence against Women and Girls

HON. R.S. AKBAR.- Thank you, Madam Speaker. A special welcome to the students of Gospel who are here with us this afternoon. Thank you very much.

Madam Speaker, I rise to make a Ministerial Statement. I especially like to address the issue of domestic violence against women and girls and outline the holistic approach we are taking to tackle this most serious issue.

Madam Speaker, we are stitching together a strong coalition to address this crisis once and for all. It is the coalition that so far brings together the various agencies of Government and especially the Police, along with the representatives of the civil society organisations in Fiji that exist to defend and protect the interests of our Fijian women.

Madam Speaker, we can only succeed if we have the assistance and cooperation of our community as a whole, our religious organisations, social, cultural and sporting groups of all kinds, our universities, technical colleges, schools, plus every Fijian of good will.

We must all support the rights of women and girls to be free from all forms of violence, including sexual and domestic abuse and the rights of children generally to be reared with love and care that they deserve.

Madam Speaker, it is not just about responsibilities of families to make sure that the women and children are safe and are provided with the opportunity to live healthy and productive lives. We all have a responsibility to do so. So at every level of the Fijian society, we must make this our priority as people because our failure to do so is bringing shame on our nation and it is damaging the reputation of Fiji and the Fijian people.

Madam Speaker, as the Minister for Women and Children, I was deeply gratified to hear our Honourable Prime Minister addressed this issue so simply and eloquently last week at the World Humanitarian Summit when he said that “there is no justification, no excuse for any man to inflict violence on a woman or abuse her in any way”. It would not just a room in Istanbul that broke into spontaneous applause. I believe most women in Fiji who heard that statement quietly would have said, “*Vinaka*, PM”, because we finally have a leader, Madam Speaker, prepared to take a stand on our behalf, a moral stand, because that is what it is, not only a personal opinion of the Honourable Prime Minister, but an article of faith that we all know is reflected in his own life; no justification for violence against women, no excuse.

Madam Speaker, the Prime Minister went on to say that men who abuse women are cowards and criminals and should be dealt with using the full force of the law. Zero-tolerance for those who abuse women and girls.

At this point, Madam Speaker, I would also like to thank the Police Commissioner for his strong support for the position that our Honourable Prime Minister has enunciated. At every turn, the Police Commissioner has indicated that the Police will no longer turn a blind eye to such cases and let us be perfectly honest, that is what has happened before in far too many instances in this country. As the Honourable Prime Minister said, Fiji, like many other societies, is the treacle with a range of institutional and cultural barriers to gender equality. One of those institutional barriers has been the attitude of the Fiji Police Force. One of those cultural barriers has been the attitude of individual policeman and policewoman, a reluctance to become involved in domestic disputes, too willing to allow traditional means of resolving disputes; too often to get in the way of the secular law of the nation being applied.

Madam Speaker, we have had a no drop policy in place since 1996, a refusal to drop charges of assault, to remove the undue influence that was often exerted on victims to let these

instances rest, often by the violent perpetrator himself, that no drop policy is currently being under-review by the inter-agency, the EVAW Taskforce we talked about in the morning, the Elimination of Violence Against Women Taskforce that involves my Ministry, the Police and the Women Support groups, Madam Speaker, we intend to make it much stronger because we all know that it has not been as effective as it should have been.

Madam Speaker, it was the Bainimarama-led Government that has finally put an end to our basic injustice in the handling of domestic violence cases in Fiji by introducing the Domestic Violence Decree and the Crimes Decree. Before these laws were put in place, most offenders were charged with common assault, yet this was classified by the law as a reconcilable offence, and if couples could reconcile a man who had assaulted a woman would walk free in many instances only to offend again. The terms ‘no drop’ and ‘zero tolerance’ have to mean just that, and what I mean by that, there should be no undue influence or pressure on victims from their families or the perpetrators to have assault charges dropped or receive traditional compensation.

Zero tolerance for violence against women and children of any kind and an unwavering determination on the part of our law enforcement officers in Fiji to bring such cases before the courts.

Madam Speaker, the laws are there and they need to be enforced. As the Honourable Prime Minister stressed, I quote; “We have established unprecedented equality for all Fijians in our Constitution, including the right to be free from any form of violence”. From our supreme laws, flow other laws and other amendments that this Government has made over the years to enhance the protection of our women, such as amending the old laws that required corroboration in rape cases.

Madam Speaker, I am sure that every woman in Fiji was gratified to hear both the Honourable Prime Minister reiterate the Zero Tolerance Policy and the Police Commissioner to stress that this is what will now be rigidly enforced. I say every woman because this is how it should be, for every woman to support this Policy, to finally put an end to what the Honourable Prime Minister described as a culture of accepting the unacceptable.

I am very gratified that the Fiji Women Crisis Centre chose to warmly congratulate the Honourable Prime Minister for his statement, because whatever our political views are in this House and in the wider community, domestic violence must be an issue that is above politics. For Fiji to have any hope of tackling its root causes, we must come together in the national interest to make it a priority to do so.

We have seen, Madam Speaker, one or two petty attempts to score cheap political points from this issue in the recent days from people who should know better, and I appeal for this point-scoring to be set aside in the interest of all women and children, whoever they are and wherever they come from in Fiji.

Madam Speaker, sadly, I also recognise that we have a long way to go, not only in changing the attitude of men but also changing community attitude, including women. As the

Honourable Prime Minister said in Istanbul, I quote; “We are currently in the throes of a national debate about whether women are in a way to be blamed for provoking their men into acts of violence or inviting rape by wearing provocative clothing.” This, Madam Speaker, is leadership. Our Honourable Prime Minister guiding current national debate by saying very clearly what he believes the national position should be, and many thousands of Fijian women will join me in thanking him for coming down so decisively on our side - no justification for violence against women, no excuse. And I appeal to every Fijian whether you are a woman or a man, to acknowledge the Honourable Prime Minister’s stance on this issue and follow his lead and his example.

He also said, and I quote; “Any other way of thinking is totally out of kilter within the norms of any society with pretensions of decency”. I happen to believe, as the Honourable Prime Minister does, that Fijians are essentially decent people but far too many of us are willing to turn a blind eye to violence against women because of cultural reasons or social conditioning. We are certainly more prone as people than we should be to accept the unacceptable, because how else are we to account for the shocking levels of domestic violence, shocking levels of rape and child abuse that are currently happening in our country.

Madam Speaker, practicing Zero Tolerance for Violence against Women is not only an issue of justice, fairness and equal opportunity, but an overriding moral imperative and this is where I appeal for all religious bodies in Fiji to also take lead, to take a strong moral stance in favour of the rights of women and children to be free from violence and exploitation of any sort, especially sexual abuse.

It is very disappointing, Madam Speaker, to see some religious leaders laying the blame at the feet of women and girls for some of the violence they are obliged to suffer. We need our ministers, priests and our imams to show moral clarity on this issue and help us move the debate in another direction, to uphold the absolute rights of women and children, and strongly condemn any behaviour that violates those rights or any attitude that condones it. The same message must go out to universities, technical colleges and schools and, indeed, wherever Fijians gather.

Madam Speaker, violence against women is everyone’s responsibility. Every person in every neighbourhood and every person in every community has a responsibility to watch out for, and speak up against any form of violence but especially violence against women and children. It is not a question of interfering in someone’s business; it is a question of helping us enforce our laws.

Madam Speaker, my Ministry is working with the Police and civil society to educate Fijians on their responsibilities in this area, and to provide women with appropriate information on where they can get help. We have a Memorandum of Understanding with the Fiji Police Force to gather data, specifically on reports of domestic violence. This will give us a much clearer picture of the effectiveness of the Police in enforcing the Domestic Violence Decree.

It is about ensuring that every case of domestic violence is taken seriously. Evidence is gathered that can lead to successful prosecution. Our courts are able to deal effectively with

such cases and issue appropriate Domestic Violence Restraining Orders and the perpetrators of domestic violence are brought to justice, because only by working effectively together, we can send a clear message or signal to every Fijian that the days of domestic violence being tolerated are finally over.

Madam Speaker, it is a sign of how far we have to go that the Fiji Women's Crisis Centre estimates that only 15 percent of women who experience violence in their homes will report to it. So, we clearly have to make it a lot more easy for them to do so and to have their cries heard. To this end we are establishing a Domestic Violence Helpline – a 24 Hour Helpline Service where people who experience domestic violence or who witness it can talk to trained counsellors. The Honourable Attorney-General and Minister for Finance will have more to say about this in the Budget later this month, but the preparation to set up this Helpline is well under way, and we expect to have it operating in the last quarter of 2016.

Madam Speaker, this is an addition to the 24 Hour Child Helpline that is already operating and is proving to be of a major benefit to our young people. We are convinced that the Domestic Violence Helpline will just be important.

Madam Speaker, all these are on top of the National Gender Policy approved by Cabinet in 2014, which is to achieve the elimination of violence against women, encourage more women into positions of leadership and decision making, empower women economically and give them better access to basic services.

The National Gender Policy requires all arms of Government to practice gender equality and build the capacity of women to obtain employment and leadership roles in the workplace, and we encourage the private sector to do the same. So, Madam Speaker, we have put in place means for women to be empowered, and give them choices and confidence. However, while Government can legislate to improve the status of women and give them more opportunities, it is much harder to alter social attitudes.

Madam Speaker, the Ministry's position to effectively implement the National Gender Policy has seen the following. Earlier in the year, Members of Parliament underwent a Gender Empowerment Forum to further discuss how to address domestic violence issues. The Forum was instrumental to devise strategies to advance gender equality in Fiji, to provide an effective platform for the implementation of our Gender Policy.

We also held Policy Dialogues for the Government Permanent Secretaries and Senior Officials to address the importance of developing and protecting the rights of women and children within their own organisation. Currently, there is a National Gender Policy Implementation Workshop being done in partnership with the FWCC for Government Focal Officers to enable them to share ideas and strategies to implement the National Gender Policy and, of course, to provide a mechanism to track the progress of work undertaken in the relevant Government agencies. The work undertaken in our agencies will include creating committees and co-ordinating the delivery of awareness materials and trainings, apart from the continuous implementation of the key action areas of the National Gender Policy. Madam Speaker, if I can draw the attention of the House to the Zero Tolerance Violence Free Communities,

currently we have 45 declared Zero Tolerance Violence Free Communities across Fiji. There are 26 committed and 16 have been identified, bringing it to a total of 87.

Madam Speaker, the Zero Tolerance Violence Free Communities are created in partnership with the leaders within the communities, the Fiji Police Force, religious organisations and the community itself, who go through a training phase and agree to commit to their communities being zero tolerant to violence. However, Madam Speaker, strange reports have come to us as well. This is where you see signboards that say ZTVFC- Zero Tolerance Violence Free Communities that is undertaken by the Ministry and the Police Force and the community. The strange reports have also come to us. Even when our community commits to keep it violence free, we have incidences of where men have dragged their women right under the ZTVFC Board and beaten them up. So, that is the attitude we need to change and, of course, it is going to take a long time, but we all need to be on the same page to see that we progress with this.

Madam Speaker, we cannot legislate to force men to change their attitudes because men must take individual responsibility for doing so. So, I want to close with a plea to every Fijian man, to take a good look at himself and ask the following question:

- (i) Am I doing everything I can show?
- (ii) Am I doing everything I can to show respect for the women around me?
- (iii) Am I being a real man?

As the Honourable Prime Minister said last week; “Real men do not mistreat their women.

They treat them with the love and the respect they deserve as wives, partners, mothers, sisters and daughters because they are the bedrock of our families and our nation.”

Madam Speaker, the Deputy Secretary-General of the United Nations said it was wonderful to hear the Head of our Government make such a clear declaration in support of the women and so it was, a speech that was a rallying cry for us to work together to improve the position of every Fijian woman.

As the Minister for Women and Children, Madam Speaker, I commend this to the House and to every Fijian. Thank you.

HON. SPEAKER.- Before we carry on, I would like to extend a warm welcome again to our new lot of students from Gospel High School joining us in the gallery.

I now call upon the Leader of the Opposition or her designate to speak in response.

HON. S.V. RADRODRO.- Madam Speaker, for the last 20 minutes all we have heard is lip service.

(Chorus of interjections)

Why I say lip service is because there has been no real progress, Madam Speaker.

(Chorus of interjections)

We may have had progress in terms of the legislation, in terms of the programmes like the Zero Tolerance Programmes, in terms of policies in regards to the No Drop Policy but the implementation of all these speak for itself. Every day, we hear about the high rate of violence against women and children, and all we have heard from the Honourable Minister is what we know. What I was listening to hear was, what are the new policy initiatives? What are the new programmes? What are the new resources that you are going to request the Honourable Minister for Finance, who has conveniently walked out?

I expected to hear that you are requesting for a million dollars more from the 2017 Budget so that all that you have said in your submission could be implemented. You have admitted this morning that there is no data and that should have been one of the issues that you should have highlighted. How are you going to collate the data? How are you going to synchronise all these data to be able to support your request for additional resources because without additional data to substantiate your request for resources, it is not going to carry much?

(Chorus of interjections)

Madam Speaker, rightfully the Honourable Minister had said that the Honourable Prime Minister had highlighted issues on violence against women and children in Turkey and for the Honourable Prime Minister to be saying that in a forum like that, we can say that that is good. But I was listening to the Honourable Minister's presentation to say how she is going to implement the commitment that has been made by the Honourable Prime Minister. That is why the Honourable Prime Minister said, and I quote; "I am sad to report that we still have terrible problem with male attitude to women, we have an unacceptable level of rape and child abuse." If that is what the Honourable Prime Minister had mentioned in a forum like that at international level, then the Honourable Minister responsible here in this House should be telling us in the last 20 minutes, how are you going to actualise this commitment made by the Honourable Prime Minister rather than focussing on who says what, or who says this? The focus should be on the policies, programmes and the resources because without all that, how are we going to implement, actualise and realise the commitment made at international level by the Honourable Prime Minister?

That is why I had said I was looking forward to hearing some kind of budgetary request in the upcoming but you only said; "We will request some kind of financial assistance in the budget." But how much are you going to request for or have you secured from the Honourable Minister for Finance because the budgetary process is already in motion and you should have a very good idea now of how much increase you are going to have in the budget to be able to implement new policy initiatives, new programmes to be able to make good what the Honourable Prime Minister has committed at the Women's Forum in Turkey.

(Chorus of interjections)

Also, Madam Speaker, I would request the Honourable Minister to pick up from where we left off at the Warwick Hotel in terms of the gender. What was the outcome of that Forum? From the outcome of that Forum, what policy initiatives could we derive from there to be able to implement the commitment that has been done by the Honourable Prime Minister in Turkey? Thank you, Madam Speaker.

HON. SPEAKER.- Now, I call upon the designate of the Leader of the National Federation Party to deliver a response.

HON. ROKO. T.T.S. DRAUNIDALO.- Madam Speaker, I like the Honourable Salote Radrodro, I absolutely agree with her and was thinking along the same lines and probably repeat much of what she has said.

We welcome what the Honourable Minister has referred to - the Honourable Prime Minister's speech. It is a lovely thing to be eloquent, words are lovely, words are great, but the action is what is missing from the other side on this issue. There are plenty of beautiful words but no action.

(Hon. Member interjects)

Madam Speaker, I suppose, we can start with ourselves. Perhaps, the Honourable Minister might wish to remind the Honourable Prime Minister, and if he can ensure that persons who are employed and remunerated by the State and who were responsible for the abuse of women protestors after the 2006 *coup*, a simple apology and acknowledgment; "Yes, we beat you up and we are sorry." That was the wrong thing to do. We should not be beating women because we are paid by the State not to beat women. Little things, Madam Speaker, they go a long way, but when it comes from people who cannot even do little things like that, it is all hollow words. Madam Speaker, hollow.

Madam Speaker, some of the studies will show that women who are victims of domestic violence could have been in higher education and would have assisted a lot or counselling, both of which cost money, and if policy as the Honourable Salote Radrodro referred to, is directed toward those two things were beefed by the Government, then we can say; "Yes, you mean what you are talking about."

This morning, (again I refer to it) the petition brought by the Honourable Gavoka for free tertiary education, that would have helped a lot of women - young and old women, to get education and be independent and of independent means in the way that they do not (not all women, some women admittedly that will not even help them), but it helps a lot of women, to feel that they have independent means, they do not have to put up with misogynists and misogynistic views. That petition that was brought in this morning would have gone a long way to help in that situation.

Perhaps adding to that, scholarships especially fully funded overseas scholarships which we talked about in the last Budget session, reserving 50 percent as a floor not as a ceiling for women to be beneficiaries of.

Madam Speaker, if these policies were undertaken and lots of money taken away from, may be FRA and the Military and put into counselling services for women who experience domestic violence, that would also help a lot, Madam Speaker, and it would help a lot more than just words and words with no action is very hollow. Thank you.

HON. SPEAKER.- Thank you. I now call on the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport to deliver his statement.

FEA Power Restoration – Post-TC Winston

HON. P.B. KUMAR.- Madam Speaker, this Statement is to update Parliament on the impact of *Tropical Cyclone Winston* to the Fiji Electricity Authority (FEA) power system and an update on the restoration. Madam Speaker, despite the delays caused by the further tropical depressions and continued heavy rainfall, the progress in which all stakeholders have come together to restore electricity services is commendable.

Madam Speaker, in the past, for example after *Cyclone Eric* and *Cyclone Nigel* in 1985, the restoration to full power took over nine months. I do not know which Government was at that point in time. Post Category 5 Cyclone, Madam Speaker, we are on the road to full recovery within six months. The Chief Executive Officer (CEO) of FEA has assured that by the end of August this year, we will be back to full power service delivery across Fiji.

Madam Speaker, it has not all been plain sailing as the extent of infrastructure damage impinges on recovery and rebuilding works in all areas. FEA recovery and rebuilding work has been carried out within this larger exercise and we need to take stock of that point.

Madam Speaker, let me provide an overview of the major damages before I move on to give an update on the rebuilding and recovery process. The public and Honourable Members of this Honourable House are only well aware of the extent and nature of damage inflicted by *Tropical Cyclone Winston*, in relation to FEA power infrastructure damage which included water, structural damage due to high winds and rain, and again water and wind damage to technology. Among generation assets damaged were power stations from Wailoa to Nadi, Nadi to Vuda, Vuda to Levuka, Levuka to Nadarivatu camp site to Rakiraki. In short, Madam Speaker, almost all of Fiji was affected.

Madam Speaker, the next area of damage was to transmission assets and again, this was extensive and along the corridor outlined above, as well as other areas all over Fiji. This is an important area of electricity service delivery and one, where rebuilding will take additional time due to the nature of these structures. Rebuilding electricity towers is not an overnight task and work on this will roll over into 2017, even as full power is restored.

Sub-transmission lines, Madam Speaker, are the nerve centre for our electricity supply and once again, we suffered extensive damage in this area. Fortunately, we saw that due to the underground cabling in the Central Division, damage was minimised in some areas and as a result, some of these areas were brought back into circuit by mid-February. Madam Speaker,

once again this reinforces the need to roll out in more areas of underground cabling. The objective would be that over a 10 or 15 year period, we will cover most of Fiji in this manner.

Madam Speaker, the point of recovery and rebuilding is also about rethinking, and in this regard, I support the words of the Honourable Acting Prime Minister and the Honourable Minister for Finance for suggesting that the path forward is to have more and more underground cabling. In a cyclone prone zone, we can ill afford to continue investing in old technology and practice. The initial capital cost is recouped from underground cabling over 10 to 15 years, in fact the removal of the poles and above ground cables also removes an eyesore. Unfortunately, Madam Speaker, compounding the extensive damage in the Western and Northern Divisions to sub-transmission lines was that they were mostly above ground. This led to longer delays before these areas could be put back into circuit. Ba and Tavua were energised in mid-March and other areas followed soon after.

Zone Substation Assets as outlined in the report by FEA, again gives a clear picture of the extensive damages. Temporary repairs had to be effected in order to restore supply to the focus and now is in permanent repairs and rebuilding capacity.

Madam Speaker, in this regard, the shared electricity and telecommunications infrastructures also suffered extensive damage. Again, water and wind damage to towers, building, cabling and antennas among other things, and again the spread of the damage mirrored the extent of the damage inflicted by *TC Winston* to the various areas. Damages to the optic fibre cables require extensive digging and this account for some of the damaged areas still under repair. However, for the most part these have been repaired and are back to full service.

Madam Speaker, the extent of the damage by *TC Winston* is carried out by the damages sustained to the various distribution power networks around Fiji. This ranged from a low 10 percent in some areas of the Central Division like Suva and Navua to the high between 60 to 80 percent in areas like Ba, Tavua, Rakiraki, Savusavu and Levuka. Works were carried out and according to the following priority areas; hospitals, water pumping and treatment plants, CBD areas, commercial and industrial areas and then to the residential areas. The focus has been an orderly and timely restoration, given the extensive damages faced and delays due to ongoing uncertain weather over the past hurricane season.

Madam Speaker, we are grateful for the immediate nature of overseas assistance in the recovery efforts in the power service sector. The New Zealand Government sponsored Line Mechanic Team totalling of 20 workforce, carried out work in the Vatukoula and Ba areas. Likewise, Madam Speaker, the ADB-sponsored Team from Tonga Power Limited helped efforts in the line restoration work, and just these last few days saw the arrival of seven heavy goods vehicles to assist with the restoration work. I commend the Australian Government and the Energy Network Association of Australia for the donation, as well as over AUD270, 000. The team from India, Madam Speaker, four engineers are currently compiling their report and this will be used to map future mitigation.

Madam Speaker, the total repair bill is over \$30 million as restoration, rebuilding and recovery works, move towards its targeted completion at the end of August, 2016. As of today, Madam Speaker, the whole of the Northern Division, including the heavily damaged areas in Savusavu and Taveuni have been energised. The Central Division which escaped much of *TC Winston* was among the earliest areas restored to full power. The Eastern Division, including greater parts of Ovalau has been restored with only parts of rural Ovalau left with work projected to be completed by August, 2016. Likewise, Madam Speaker, the lesser affected areas in the Western Division are already energised, with only Ba, Tavua, Nadarivatu and Rakiraki rural areas left to be full back on the power grid for the projected completion date of August, 2016.

Madam Speaker, as we can see from this Statement on energy services restoration, work has moved along in a constructive manner, despite various unavoidable delays, mainly due to the prolonged cyclone depression in this past season. The work undertaken by the various arms of the FEA and our overseas aid partners need to be commended for continuing to work in testing conditions.

Madam Speaker, another area that we will be rethinking will be our processes and the vital area of stakeholder's co-operation and linkages that is between FEA, Water Authority of Fiji and FRA. There is already a code of practice in place Madam Speaker for these entities. We cannot have the old mentality of ad hoc processes that address one issue and creates problems in five or six other areas, those days are well past us. We will focus on rebuilding in ways that are sustainable and that will be better able to withstand the forces of nature.

Madam Speaker, I thank the House for listening to the statement on post *TC Winston* recovery and updates in the power service sector under FEA. Thank you.

HON. SPEAKER.- Thank you. I now call upon the Leader of the Opposition or her designate to speak in response.

HON. A.M. RADRODRO.- Thank you Madam Speaker. I rise to give SODELPA's response to the Ministerial Statement.

First of all, Madam Speaker, I think this statement is long overdue about the updates on electricity restoration which has been undertaken by Fiji Electricity Authority. As we all know that power is a basic commodity and having access to electricity is a basic human right. I hope this exercise by FEA is again not part of the plan that is currently being undertaken by the Honourable Minister, as we all know that during the height of the post cyclone process, while there was no electricity within the urban centres, water was flowing freely so maybe FEA could take a leaf out of the Water Authority of Fiji's plan in terms of restoration in post cyclone disaster management.

Madam Speaker, we must ensure that in this restorative exercise there is no discrimination on the basis of residential communities against commercial businesses, for example, everyone needs power but the economic benefits and returns must not outweigh the needs of the common people.

Madam Speaker, the Honourable Minister mentioned that almost all of Fiji has their electricity back and that is commendable. I understand that there are communities still without power and I urge the Government to expedite the restorative work so that people can again resume their normal lives at least as best as they can.

On the restoration exercise, Madam Speaker, I failed to hear the Honourable Minister about the update on the issue of recruitment of overseas based companies engaged in the power restorative exercise. Maybe if the Minister can update us, if this is so, can the Honourable Minister give us an answer why have we taken this step, where have all the FEA engineers and electricians gone to and what is the cost of the engagement exercise by these overseas engineers? Is this a result of the FEA restructures which FEA is now unable to cope with the demands of its basic legislated service provision and maintenance?

Madam Speaker, the Honourable Minister did not highlight that just recently an FEA contractor engaging in the post duties of *TC Winston* died in Lautoka. The kind of work he was engaged in used to be sufficiently covered by FEA employees who had undergone extensive technical and OHS training before they were even allowed to conduct this life threatening exercise.

Madam Speaker, I would also like to inform the Honourable Minister that there have been some excuses given by these FEA executive officials especially after Cyclone *Winston*. They have claimed that they are unable to assist, for example the electricity for houses in villages and communities because the connecting of black wire to homes is not FEA's role and it requires the villagers to pay for private electricians to conduct this technical work for them.

Madam Speaker, we have just experienced a major cyclone and I ask the Government to please look into this matter and help these struggling villagers to have their power back. Many of these people have lost their livelihood and crops and they do not have the money to pay for these electricians.

Madam Speaker, before I conclude, I would like to take this time to thank the Honourable Minister for the updates and all his Ministry's staff from Roads to Water, Electricity, Local Government, Shipping and Weather Office, in fact all Government employees and volunteers for the hard work and commitment they engaged in post *TC Winston*. I know I speak on behalf of everyone in Fiji and all our communities in extending a big *vinaka vakalevu* to you all and may God continue to bless Fiji.

(Applause)

HON. SPEAKER.- I now call upon the designate of the Leader of the National Federation Party to deliver his response.

HON. P. SINGH.- Thank you, Madam Speaker. I thank the Honourable Minister for his statement and of course he is the Minister for all the utilities in Fiji and as such he has great

responsibilities. Honourable Minister, thank you for addressing some of the concerns but let me just come back to the statement.

Madam Speaker, during the aftermath of the cyclone, FEA's infrastructure suffered the most by way of damage to power lines, FEA stations, sub-stations and the towers from Monasavu right up to Vuda and back to Kinoya. When the Honourable Minister said that all power would be restored by August, it was an overly ambitious conclusion Madam Speaker.

First of all, FEA does not have or does it have the means to do the work on its own or is it relying on the climate change adaptation funds? Yesterday, the Honourable Minister of Finance alluded to that in most of the areas they would like to see that there are underground cables and Madam Speaker, this would come with a massive cost, so with that alone, the ballpark figure of August for the full restoration of power I believe that the Honourable Minister, what he is saying is that the temporary power would be restored but not the permanent power.

Madam Speaker, going back to the Help for Homes Initiative, the monies that had been allocated to these home owners they include electrical fittings but it excludes the services of electrical contractors and other infrastructure developments that come within the meaning of installing the electrical equipment.

Madam Speaker, it is sad to note that people in the North Western part of Viti Levu from Ba to Rakiraki and right up to Tailevu on the King's Road, just on the roadside, have haphazardly been given power. The power lines that go through their areas, their homes which were damaged, of course that is understandable that the home which is damaged, they need to have it repaired before power is restored, but in some of the areas we have seen that they are choosy as to who gets the power and in what area.

I think this is where FEA must come out very clean and I am glad that he has mentioned the code of conduct for the FEA whereby we will have everyone seen on the same level. Madam Speaker, electricity is one of the needs and I request the Honourable Minister to see that all power supply be restored which were damaged and this in no way should affect the connections to new homes, industries, factories because we have a timeline as the Minister said up to the August and anything that the people of Fiji will be comfortable with must be addressed. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. We will move on to the next item on the Order Paper.

BILLS – FIRST READING

HON SPEAKER.- The Hon. Attorney-General will be moving 3 Bills for first reading today. I now call upon the Hon. Attorney-General to move the first reading of the first Bill.

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, pursuant to Standing Order 84(1) I move that the National Employment Centre (Amendment) Bill 2016, be now read the first time.

HON. SPEAKER.- Is there a seconder?

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

MADAM SPEAKER: Please hand the 4 copies of the Bill to the Secretary-General.

SECRETARY-GENERAL.- A Bill for an Act to amend the National Employment Centre Decree 2009 (Bill No. 31 of 2016).

HON. SPEAKER.- In accordance with the 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 Hon. Attorney-General to move the first reading of the next Bill.

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, pursuant to Standing Order 84(1) I move that the Community Based Corrections Bill 2016, be now read the first time.

HON. SPEAKER.- Do you have a seconder?

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

MADAM SPEAKER: Thank you. Please hand the 4 copies of the Bill to the Secretary-General.

SECRETARY-GENERAL.- A Bill for an Act to provide for community based corrections systems that fosters community based sentencing options and the rehabilitation and re-integration of offenders (Bill No. 33 of 2016).

HON. SPEAKER.- In accordance with the 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 Hon. Attorney-General to move the first reading of the next Bill

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, pursuant to Standing Order 84(1) I move that the Information Bill 2016, be now read the first time.

HON. SPEAKER.- Do you have a seconder?

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

MADAM SPEAKER: Please hand the 4 copies of the Bill to the Secretary-General.

SECRETARY-GENERAL.- A Bill for an Act to give effect to sections 25 and 150 of the Constitution of the Republic of Fiji to facilitate the right of access to information held by

the Government and public agencies, to correct or delete all misleading information that directly affects a person, to promote access to information and for related matters (Bill No. 34 of 2016).

HON. SPEAKER.- In accordance with the 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.

CONSIDERATION OF BILLS

HON. SPEAKER.- Pursuant to the resolution of Parliament on Monday 30 May 2016 the Prevention of Bribery (Amendment) Bill 2016 and the Fiji Independent Commission Against Corruption (Amendment) Bill 2016 will both be debated and voted upon today. The debate will be limited to one hour for each bill. I now call upon the Attorney-General to move his motion.

PREVENTION OF BRIBERY (AMENDMENT) BILL 2016

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Pursuant to the resolution of Parliament on 30th May, 2016, I move that the Prevention of Bribery (Amendment) Bill 2016, be now debated, voted upon and be passed. Thank you, Madam Speaker.

HON. SPEAKER.- Do you have a seconder?

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

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. As was highlighted on Monday, the Prevention of Bribery (Amendment) Bill seeks to carry out some basic functionary aspects in terms of improving the particular law that is already in place, Madam Speaker. A lot of that as has been highlighted, corrects a number of references that are no longer relevant, for example, the reference to the Income Tax Act and various other laws that were in place at that point in time but are of course no longer in place, and also in terms of the definitional changes to make it a lot more relevant to what we have today. It also includes, for example, the deletion of the “Fiji Human Rights Commission” to be replaced with the Fiji “Human Rights and Anti-Discrimination Commission” and for example the “Fiji Islands Visitors Bureau” to be now called “Tourism Fiji” as it is called. So, these are the kind of amendments it makes Madam Speaker. It does not in any way make any substantive changes to the existing law itself.

Madam Speaker, the Promulgation itself, of course, supplements Fiji’s ratification of the United Nations Convention Against Corruption, which it ratified unreservedly in 2008 and of course has been subject to peer review. We are expecting another peer review by either later

this year or early next year as we were informed by the people who did their presentation to us at morning tea time a couple of days ago.

Madam Speaker, the Bill has highlighted, fixes up a number of these amendments as required to make sure that it is in alignment with the other laws and as we can see, it includes only about 11 clauses to the Promulgation itself. The Prevention of Bribery Promulgation is important, it does for example, address issues of corruption, it does address issues of, for example civil servants who may have unexplained wealth in relation to the salary that they do receive. But the amendments per se, Madam Speaker, is simply tidying up the Act and make it a lot more relevant to the existing laws of Fiji. Thank you, Madam Speaker.

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

HON. N. NAWAIKULA.- Thank you, Madam Speaker. I wish to make a contribution to the amendment. This amendment or motion has come to this House under Standing Order 51. I wish to make first a concern and reservation in relation to that because the public should know, as well as those who are out there, we keep reminding this House that this is not the proper way to bring a Bill or Amendment through this sort.

I deny totally the statement made by the Honourable Minister that the amendments here are not substantial. There are very substantial amendments here including one, that makes it an offence for a person not to report. There is a fundamental rule in our laws which says that I cannot incriminate myself but this amendment says that if I do that, if I commit an offence, and example here of bribery and I do not report it, I will be subject to litigation, an offence. So it is wrong to say that the amendments here are very minor.

Having said that, the problem that we have in relation to the Bribery Promulgation understanding of course that the Bribery Promulgation came into effect in 2007 and it was expected to be a milestone at that time. Understanding of course that the reason why the *coup* was executed was to remove people who were guilty of corruption and that was the reason why this came about in 2007. I must say that, from that time until now, I am still asking, where are these people? It was all a wild goose chase. This is an integral part of FICAC and it is important to know that it has very good reasons for coming but if it goes into the wrong hands, if it is abused by Government, it will be very disadvantageous to the public. That is one of the major things that is wrong with this legislation.

The other problem that we have in relation to bribery is that it is contained in a lot of legislation, you can find bribery within the Penal Code, Crimes Decree of 2009, and also in the FICAC Decree. So, the first priority I would submit for the Government to do is not to come with this amendment, but to clean up its act, to decide where it should administer all the bribery allegations, whether it should put them all under the Crimes Decree or as it should, and I think which should be the case, it should all go under FICAC.

Now, going through the amendments I have seen here and the problem we have here is that we do not have a Standing Committee, and we must understand that we are not experts here. The experts are out there, and the only way to summon experts is by convening a Standing

Committee. We do not have that, so the reservations that we may have in relation to these amendments will become nowhere. This is it, and we have to debate on it, and there are no experts here, no Parliamentary Counsel here that we can refer to that could make changes to this.

The first concern, Madam Speaker, that comes to mind is in relation to Clause 2, which says that the definition of “advantage” means, it deletes the words “an election donation” and replaces it with “any donation”. So, it makes it wider. We need to understand why was the reason for that.

The other point that I wish to raise is that, if you look at Clause 3, it says that it amends the promulgation by saying, and I quote:

“Any prescribed officer who, without prior written permission of his or her appointing authority, solicits or accepts any advantage.”

Previously, the only person that is allowed to do that is the President. But, now it expands the exception to people other than the President, to people who are even in the executive, to people who are heads of departments and that is very dangerous indeed to me.

The last concern that I wish to raise in relation to this, Madam Speaker, comes under Clause 10, which says that, “to whom an advantage is offered.” So, like I said before, it is a fundamental thing that you cannot incriminate yourself, and here it says that those people can also be taken into account. For example, if they commit an offence, in this case bribery and they do not report it, they will be taken into account and be litigated upon.

So, for those reasons, I do not support this motion.

MADAM SPEAKER.- Thank you. I give the floor to the Honourable Koroilavesau.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I rise to support the Prevention of Bribery Bill of 2016. One of the main objectives of the amendment, Madam Speaker, is to strengthen the provisions for the prevention of bribery, in particular, the inclusion of the new section for mandatory reporting of bribery and other related offences.

Madam Speaker, the Prevention of Bribery Promulgation 2007 came into force on 4th April, . The main objective of the Promulgation is to make provisions for the prevention of bribery, corruption, electoral fraud and misconduct in public office.

Madam Speaker, there has been wide consultations held in Fiji with the Fiji Independent Commission Against Corruption and Office of the Solicitor-General. I can see *talatala* looking at me seriously!

Since the inception of the Promulgation, it has proven to be beneficial in preventing bribery, corruption, electoral fraud and misconduct in public office holders in Fiji. However, there are prevailing issues within the Promulgation that need to be proved by virtue of the

amendments laid out in the Prevention of Bribery (Amendment) Bill, 2016, which is the Bill that is being presently presented.

The Bill seeks to redress the issues within the outlined provisions, whilst also making overall law more comprehensive and on par with the legal structure in Fiji.

Madam Speaker, the Bill provides a timely amendment since the Electoral Act (Cap. 4) and the Income Tax Act have both been amended. So, it is only right to align this crucial Act to these two pieces of legislations as they are intertwined.

Madam Speaker, the amendment also provides clarity in terms of the ambiguous misspelling as can be seen in Section 24 of the Bill where the misspelling on the sentence, the burden of proof totally changes the meaning of that previous section. It is being corrected, and now creates certainty in that particular section which was meant to achieve in the first place.

Madam Speaker, the overall intention of the Bill is to bring this piece of legislation up to-date or up to par with the ever-changing aspects of Government, and the changing policy which one can see is not stagnant and changes due to forces beyond its control.

Therefore, it is only prudent that the legislations are also updated to reflect the changes that have taken place within the legislature so that the laws are up to date with current activities and not seen as archaic and out of touch.

Bribery and corruption can easily lead to the erosion of moral principles and values of good citizenships in our societies. I totally and unequivocally add my full support for the Prevention of Bribery (Amendment) Bill 2016.

MADAM SPEAKER.- Thank you. I now give the floor to the Honourable Bulivatu.

HON. M.D. BULITAVU. Madam Speaker, my small contribution to the Bill that is before the House, every law needs to be understood and responsive.

Madam Speaker, I would like to contribute to the Bill that is before us this afternoon. First of all, I commend the insertion of Section 30B which will now cover businesses and companies or individuals who are sponsors of supposed acts of bribery. Such companies have in the past not been held liable, Madam Speaker, and instead we know that many have been used as witnesses of FICAC against those accused to be soliciting advantages from them. As long as these companies deem to have the benefit from a situation, usually businesses would assist greatly if they denounce any acts of soliciting funding from them of any form in the first place.

I know, Madam Speaker, this will continue to be a grey area especially if we are talking about sponsorships sought by Government Ministries and Departments in social activities which is still in existence, Madam Speaker. The law on this issue must be clear so that it is not abused in any way, and there is no selective victimisation that can occur because of it. In the past, companies have gotten away with favouritism because they assist ministries with

sponsorships, for example, as well as for Government commercial entities, and these acts have to stop today, Madam Speaker. We cannot make laws to be exercised only by certain sections of society and leave other vulnerable to be exposed.

After all, we know that we have sports teams in ministries and other sporting bodies, for example, who benefit from these contractors because of their association with a certain ministry or individual in ministries.

Secondly, Madam Speaker, I will now turn to Clause 2(4) of the Bill which removes general or special permission from the President, and instead allows the soliciting or accepting of an advantage following written permission of the appointing authority.

Madam Speaker, this should not be encouraged at all. It leads to all sorts of unsolved acts, activities and creates a loophole for abuse, still. Not all appointing authorities will be credible. In addition, because our laws and political scenario continues to change and involve constantly, this law which is supposed to be there for future use by any government has to be guaranteed in such a way that it is not exploited again, as it has been in the past. When those that hold authority do not take responsibility of their actions or that are in the kind that are prone to top to bottom leadership styles, where they expect orders to be followed irrespective of the situation.

I ask that in all good sense, Madam Speaker, to avoid the vulnerabilities to government and government officials in the first place. Government disallow any soliciting of advantage in any way from businesses who are associated with government, ministries or companies in any form. That removes conflict of interest and that will remove corruption and illegal activities, Madam Speaker.

Lastly, Madam Speaker, I will be personally interested to know whether these changes that will come into effect to a date appointed by the relevant Minister, through notice by Gazette, will also go back to cover any crimes that may be before the courts at present, and which occurred in the recent past under the old Bill.

The other point, Madam Speaker, that I would like to raise, can the Honourable Attorney-General also clarify, that is in regards to clause 5 of the proposed Bill. It refers to the Fiji Revenue and Customs Authority Act of 1998, I think, Madam Speaker, that Department is now no longer called the Inland Revenue Department, it is called the Fiji Revenue and Customs Authority. I think that particular Act too will need to be changed in order for these mistakes to be taken into account and also, Madam Speaker, that subsection 2, where we no longer have a Commissioner for Inland Revenue, we have a CEO now.

Those are some of the mistakes that could be further improved later on how we can further the 1998 Fiji Revenue and Customs Authority Act, so the words that are used, which is referred to the current amendment by the proposed Bill, in compliance with the current practice. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. At this point, I note the time and I will now call on the Leader of Government in Parliament to move his suspension motion.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I move that under Standing Order 6, so much of Standing Order 23(1) is suspended, so as to allow the House to complete the items of business in today's Order Paper.

HON. SPEAKER.- Do we have a seconder?

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

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

There being opposition, Parliament will vote on the motion.

Votes Cast:

Ayes	-	28
Noes	-	13
Not Voted	-	9

Motion is agreed to.

RESUMPTION OF DEBATE ON THE PREVENTION OF BRIBERY (AMENDMENT) BILL 2016

HON. SPEAKER.- Thank you, Honourable Members, we will now continue and I now give the floor to the Honourable Faiyaz Koya.

HON. F.S. KOYA.- Thank you, Madam Speaker, I will be brief. I rise in support of the Prevention of Bribery (Amendment) Bill of 2016. Madam Speaker, the Bill by virtue of the amendments is making the overall law more comprehensive and up-to-date with current laws.

Madam Speaker, the public sector (this is a different version of what has been spoken before) needs to prevent bribery, corruption, electoral fraud and misconduct happening in public office. Through amending these definitions and making references to respective laws, the Act will basically be in par with the current legal structure.

Madam Speaker, at the international level, international organisation for standardisation, the ISO just recently developed a standard on anti-bribery management system. That is an ISO 37001, as a measure to help organisations prevent, detect and address bribery and these include adopting an anti-bribery policy, appointing a person to oversee anti-bribery or bribery compliance, training risk assessments and due diligence on projects and business associates in implementing financial and commercial controls and instituting reporting and investigation procedures.

There needs to be synergies, Madam Speaker, between the public sector and the private sector when it comes to policies on good governance, ethics, transparency and anti-corruption.

The enactment of this Bill, Madam Speaker, will further boost the confidence of the private sector towards working with the public sector by creating a corrupt free working environment and business processes. Madam Speaker, bribery and corruption have far reaching effects. It retards growth by deterring foreign investment and encourages a brain drain. It leads to the misallocation of economic resources and distorts competition. It depletes the country's affected endowments, both natural and acquired, and demolishes the tenuous trust between citizens and States and cast civil and governance institutions in doubt, tarnishes the entire political class and thus endangers the actual democratic system in the rule of law and property rights included.

Madam Speaker, with those few words, the changes to the Prevention of Bribery (Amendment) Bill 2016 is very timely to the public sector, especially when Government is going through reforms to change the Civil Service culture. I fully support the amendments, Madam Speaker.

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

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

HON. SPEAKER.- Point of Order.

HON. ROKO T.T.S. DRAUNIDALO.- I refer to Standing Order 107, I move an amendment to the definition of "Prescribed Officer" in the Bill. That is clause 2(c)(a)....

HON. SPEAKER.- Point of Order - process is really on the rules and procedures of the House and not the content of the Bill. That can be brought up as a substantive motion.

HON. ROKO T.T.S. DRAUNIDALO.- What about the amendments to Bills under Standing Order 107?

HON. SPEAKER.- Yes, it is not to do with rules and procedures, it does not qualify under the point of order process, which is relevant to the Bill. It can come up as a substantive motion.

HON. ROKO T.T.S. DRAUNIDALO.- Well, I am moving that....

HON. SPEAKER.- Thank you, I have already made my ruling on that, and I give the floor to the Honourable Karavaki.

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

HON. SPEAKER.- Please, I have made my ruling. Let us continue.

HON. ROKO T.T.S. DRAUNIDALO.- Now, I have a question.

HON. SPEAKER.- What are you proposing now, is it a point of order again?

HON. ROKO T.T.S. DRAUNIDALO.- Yes. Well, the Point of Order is Standing Order 18, your plenary powers not to make, I hate to repeat the word "a mockery of this place" to debate a Bill that has technical deficiencies. I am asking you to exercise your powers under

Standing Order 18 to allow this amendment to the Bill, so that the debate proceeds after the amendments have been debated and passed or allowed by the government. They could just say “yes, we agree to the amendment.” It is trying to improve the Bill, Madam Speaker, so we do not all look like....

HON. SPEAKER.- Because this motion was passed under Standing Order 51, we are not able to ...I accept that amendment.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. Standing Order 18, again, I am requesting you to exercise your powers, plenary powers that Standing Order 51, if I could just refer to it. The motion that is moved by the Honourable Attorney-General sets out how and when Parliament will deal with each stage of the Bill’s passage through Parliament, including whether the Bill will pass through one or more stages at a single sitting, and if so, which stages (which he did), what if any time limits will apply to any debates on the Bill during its passage which he did, whether the Bill will be referred to a Standing Committee or other Committees of Parliament, which he did.

Madam Speaker, that Standing Order does not say anything about amendment of Bills and to the improvement of it through this process. As I say, the Opposition is doing this to improve the Bills, it is fast-tracked but we want to improve it so at least as best that it can be when it comes out through this fast-track provision, rather than just being fast-tracked and bad. It is fast-tracked and a little bit better, not as well as going to a Committee where experts are as the Honourable Nawaikula has said, experts are out there but at least it will be better than just going through in this form, that was it, Madam Speaker.

HON. SPEAKER.- Thank you for the clarification. We will deal with the proposed amendment now before we carry on so, please, state the amendment that you would like to propose and we will vote on it.

HON. A. SAYED-KHAIYUM.- Madam Speaker, point of order.

HON. SPEAKER.- Point of order.

HON. A. SAYED-KHAIYUM.- . . , Just a clarification, in particular, regarding 51(3), it says, and I quote:

“The motion to proceed without delay in relation to a Bill may be moved at any stage of the progression of the Bill through Parliament.”

So, Madam Speaker, I am just seeking from your good self, Madam Speaker, the motion under 51 was for this Amendment Bill to progress without delay in the form in which it is, so if we are going to have an amendment that means we are actually amending the motion that I tabled on the floor unless, of course, I am incorrect but I would assume that that is the issue at hand.

HON. SPEAKER.- I retract what I said because I had in my ruling, it was passed and approved that this Bill will be considered under Standing Order 51, as clearly stipulated in the Standing Orders and there will be no making of amendment, therefore, I beg your indulgence.

HON. ROKO T.T.S. DRAUNIDALO.- Just for clarification, this is again Standing Order 18 and your powers and what goes on in this place. Madam Speaker, Standing Order 51, as I have read out, makes no reference to the shortcutting of the Bill amendment provisions in Section 107. There is nothing in there to say that the motion, that the Attorney-General can in his motion say that there will be no amendments to the Bill that is brought here, Madam Speaker. If it said that, and I am sure the Attorney-General would have used it and said that there will be no amendments to this Bill, but unfortunately the rules do not say that, Madam Speaker, and the Standing Orders which are our rules allow for amendments to be made.

Madam Speaker, I wish to reiterate, this is not to make anything difficult for anyone as the Honourable Nawaikula has said, the experts are out there, we are just trying to help get these Bills a little better than their current form before they are fast-tracked and we are willing to sit here all night if it takes that much time, Madam Speaker, but please, we ask you because ultimately, you are the person with authority here and you will determine and everything that happens here, Madam Speaker, reflects mostly on you and all of us here, whether the kind of laws we are passing, if we are fast-tracking it and we are making amendments as we go along to improve it, what could be so bad about that, especially when the rules, Madam Speaker, do not disallow this, and I ask, Madam Speaker, if we could adjourn for tea while you give us a written ruling on your decision, Madam Speaker, whether that is contained in Standing Order 51, whether the person who brings the Bill can disallow amendments to the Bill because clearly, I do not see it anywhere in Standing Order 51.

HON. SPEAKER.- Thank you. I need to be consistent in my ruling and it is not clearly stated in Standing Order 51 but I have made my ruling that the Bill will be approved under Standing Order 51 and there will be no making of amendments. Therefore, we will continue with the debate on this Bill and I give the floor to the Honourable Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker, the Government has all the right to bring a Bill into this House for amending any law in this nation. The purpose of this House, Madam Speaker, is to scrutinise this Bill, whether it is an amendment, or whether it is a substantive Bill so that the Bill when it becomes Act, it becomes a law of this nation, is one that reflects the integrity of this House, and Madam Speaker, while we are trying to look at the Bill and ensure that it goes through this process under Section 51, reflecting to the best of our ability to scrutinise it, it may appear in the process, Madam Speaker, that there need to be changes done to the Bill.

Unfortunately, according to your ruling, that cannot be done in the House and I can only assume that the Government will take it and re-look at it according to the discussion made in this House and may have amended it at this stage. That is totally out of that parameters, Madam Speaker, and I hope that that should be a consideration to be done, whatever is tasked over here should be in its form that it was passed, not to be changed again after it has gone out of this House.

Madam Speaker, when I looked at this Bill, it needs supporting a good law to prevent bribery. It needs supporting, but we need to look at the Bill so that it goes out of here, it is a

Bill that we all prefer, that is a Bill that needs to be used as a law of this nation, but I need just to direct our attention to the definition under Section 2 on that definition “appointing authority”.

The definition of “appointing authority”, Madam Speaker, it says, it means, “a person responsible for appointing or advising on the appointment of a prescribed officer”, and I would like to dwell there for a while, not so long. It means a person responsible for appointing or advising on the appointment of a prescribed officer, “appointing authority”, Madam Speaker, cannot rest on a person. The person cannot be the appointing authority. The appointing authority should be the right or the authority or that right is exercised by such person of which that authority rests on because a person comes and goes, they cannot take the appointing authority with them. The appointing authority stays and whatever person comes there to occupy that position would inherit this appointing authority by law and to continue from there, Madam Speaker, after the comma, it says “or a person with the authority”, that is correct, Madam Speaker, or a person with the authority to take this pre-action against or remove from office a prescribed officer. The person is with the authority. The authority cannot be the person, that is what I am saying, Madam Speaker, so the second part of that definition, according to the definition, the one before that, it will go like this, or a person with the person responsible for appointing or advising the authority, it is fairly absurd, very absurd. Madam Speaker. This is the kind of thing that needs relooking at, we tidied up so that it becomes a good law, to reflecting to who we are, Madam Speaker.

The second one (c), the public servant, I would suggest that that one there instead of deleting, it should have been just simply amended because (a), (b), they are exactly the same as the original one.

The only addition over here is “(c), any public official as defined under Section 4 of the Crimes Decree 2009.” That is the only addition, it simply is to amend by adding paragraph (c). That is the way it should be done, instead of deleting the whole thing, it looks like we have a totally new provision. The first (a) and (b) they are exactly the same as the original, only (c) is the addition, it needs only an amendment in that respect, Madam Speaker.

I come to the amendment in Section 3, Madam Speaker, it says, the old (3) is deleted and this is the new one and the new one says ‘any prescribed officer who, without the prior written permission of his or her appointing authority, solicits or accept any advantage commits an offence’.

I have a very serious concern there, Madam Speaker, because the qualification that is in this provision it says ‘without the prior written permission of his or her appointing authority’, this is what it means, if I get a written permission from the appointing authority of which, it states here “a person who appoints me” if I get a written permission from him and I go to a company to solicit for advantage or gain, and I get that and come and give it to him, even though I know that we are committing an offence, but under this, that does not become an offence, because the written authority has been given by the appointing authority.

(Honourable Members interject)

HON. S.D. KARAVAKI.- That is the way it is.

HON. LT. COL. I.B. SERUIRATU.- That is the motive?

HON. S.D. KARAVAKI.- That is the way it is. When you are talking about the motive you look at the words.

(Laughter)

HON. S.D. KARAVAKI.- You look at the words. It says “any prescribed officer who, without the prior written permission of his or her appointing authority solicits or accepts any advantage commits an offence. If he is not authorised, he commits an offence, but if he is authorised in writing there is no offence. If they say, if that is not what it means, then they should rewrite this, redraft it.

(Honourable Members interject)

That is the very reason, Madam Speaker, while we are here to talk about this and the importance of looking at it and allow for an amendment to take place over here because we cannot take it to the Standing Committee, at least we can do some justice over here, to correct what is wrong, to improve it. But here, Madam Speaker, we really have some serious consideration to do over here because this is going to go as it is, with all these defects in it, and lawyers are going to use this, Madam Speaker. Our duty is to make sure that the laws we pass over here it is certain, we remove all the elements of doubt, so that they become good laws.

Section 30B is also going to have a problem because of that, the failure to report an offence and I submit my views to the House on this Bill. It is a very short Bill but I could see and lift out of it some of the very serious issues that we need to seriously consider and without doing anything about it, even not correcting it, that is nothing we can do, but really to highlight, Madam Speaker, there are serious issues, but as you have ruled, it is going to go as it is, there is nothing else we can do. Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Minister for Education.

HON. DR. M. REDDY.- Madam Speaker, I rise in support of the Bill and I join my colleague from the other party, Honourable Bulitavu, you should have listened to his delivery. He is in total support of this Bill, even at the end of his contribution, he did not say that he is not supporting the Bill, Madam Speaker. He did not, he did not, and he did not, Madam Speaker.

(Laughter)

Madam Speaker, every time when an Election takes place, all political parties will talk and harp about corruption, bribery, et cetera and will come into Government “we will do this, we will do that, et cetera.” After Elections, Madam Speaker, you will see them, they all disappear, they will never talk about it because they would want to benefit from it.

Madam Speaker, this Bill here is intended to demonstrate our government’s commitment to curb out corruption. I want to enlighten the Members from the other side about how much damage corruption does to the economy, the cost to the economy.

(Chorus of Interjections)

Madam Speaker, corruption destroys competitive economy because it allows people with connections et cetera to take over the business through their connections. Corruption destroys people's confidence in investment, Madam Speaker.

(Chorus of interjections)

Corruption kills small investments and hurts corrected people. Madam Speaker, this Bill demonstrates our will and our commitment to eradicate corruption from this country and therefore, we support this Bill, Madam Speaker. *Vinaka.*

(Chorus of interjections)

HON. SPEAKER.- I now give the floor to the Honourable Balmindar Singh.

HON. B. SINGH.- Thank you Madam Speaker. I rise to make my short contribution in respect of this Bill, Bill No. 29 of 2016 in this august House. Madam Speaker, Prevention of Bribery Promulgation 2007 came into force on 4th of April, 2007 and since the enforcement of this promulgation, Fiji Independent Commission Against Corruption (FICAC) has successfully prosecuted cases of corruption and betrayal of the public trust that you would know the importance of core values such as honesty, respect of the rule of law, accountability and transparency.

Madam Speaker, corruption is an insidious epidemic that has a wide range of cohesive effects on society. It undermines democracy and rules of law, leads to violation of human rights, distorts economic, erodes quality of life and allows organised crimes, terrorism and other threats to human security to flourish.

Madam Speaker, corruption hits the poor disproportionately by diverting funds intended for development, undermining a government's ability to provide basic services, feeding inequality and injustice and encouraging fraud aid and investment.

Corruption is a key element in economic under performance and it is a major obstacle to poverty alleviation and development. Madam Speaker, the amendment is an astonishing framework and on par with the current legal framework.

Madam Speaker, in light of the above, I fully endorse this amendment to make a real difference to the quality of life of all Fijians and I ask this august House to support these amendments, so together we can make a difference. Thank you, Madam Speaker.

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

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, again I would like to speak in favour of the Bill. Just two clarifications, Honourable Bulitavu was concerned about retrospective approvals or backdating, of course, it would not be. It is a criminal matter, maybe he has got clients that are before the courts but it would not apply to them. It only goes forward, the date to be gazetted therefore. .

I think, Madam Speaker, what is one of the key amendments in this, is the mandatory reporting of corruption in the same way that we have mandatory reporting of, for example, if the doctor suspects child abuse or domestic violence, there is mandatory reporting of that and, similarly, mandatory reporting of other violent acts. This is, of course, a form of violence in

our economy and is very important that we inculcate that culture and with these very functionary-type of amendments, we recommend that we now vote on this Bill and that the amendment be carried through.

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

The question is, pursuant to the resolution of Parliament on 30th May, 2016 that the Prevention of Bribery (Amendment) Bill 2016 be debated, voted upon and be passed.

Question put.

Does any Member oppose the motion?

(Chorus of ayes and noes).

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

Votes Cast:

Ayes	:	27
Noes	:	15
Not voted	:	8

Motion agreed to.

Bill reported without amendments, read a third time and passed. (Act No. of 2016)

HON. SPEAKER.- Thank you. We will move on to the next item on the order paper. I now call upon the Honourable Attorney-General to move his motion.

HON. SPEAKER.- Thank you. I call upon the Honourable Attorney-General to move his motion.

**FIJI INDEPENDENT COMMISSION AGAINST CORRUPTION
(AMENDMENT) BILL 2016**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament on 30th May 2016, I move:

That the Fiji Independent Commission Against Corruption (Amendment) Bill 2016, Bill No. 30/2016, be debated upon and be passed.

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.- Madam Speaker, I will not be too long. As highlighted in introducing this particular Bill on Monday, 30th May, 2016, this Bill further strengthens the laws pertaining to corruption matters in Fiji. Indeed, it further brings the actual Promulgation into alignment with the Constitutional provisions. For example, if you look at the law as it exists, Madam Speaker, it says under Clause 5 in which this amendment seeks to remove in alignment with the Constitution, it says; “The Commission shall be subject to the orders and control of the President.

In Clause 5(2), it says; “The Commissioner shall not be subject to the direction or control of any person other than the President.”

The amendment, Madam Speaker, in alignment with the Peer Review Programme that we have seen, removes that reference to the subject and orders and control of the President altogether. You will see in Clause 5(1) & (2) is removed, Madam Speaker.

The other of those substantive matters that relates to the functions of FICAC, there are three specific categories, Madam Speaker, that I would like to highlight and also we have discussions with the DPP’s office and also with FICAC in relation to the manner in which these laws are applied, and also the synergy and the working relationship with the DPP’s office and FICAC.

Madam Speaker, there are three key areas, for example, in the area of arrests, in the areas of search and seizure, the same powers that are given to the Police, are given to the investigators of FICAC. So, for example, they can arrest on suspicion as the Police do at the moment, and also when we you have search and seizure to be able to seize various evidence.

There is also the provision, Madam Speaker, of Interception Warrants which is laid out in a very transparent manner which needs the authority of the High Court. All of these provisions actually brings out many of the areas and elucidates it in a lot more transparent fashion into the public domain.

The other very important matter, Madam Speaker, is in relation to and which is set out in Clause 19 of the Amendment, which is the Proceeds of Crime Act. At the moment, Madam Speaker, under the Proceeds and Crime Act, the only competent authority that can actually apply for the proceeds of crime is the DPP’s Office. A case in point is, as I had highlighted on Monday, there was a large amount of money that was subject of the criminal conviction that was successfully prosecuted by FICAC, a businessman from Ba, and we understand that the amount of money that was in question was about \$1 million. The point is, that million dollars that was received by that individual, we need to track it down because it is actually a proceed from a crime. Even though FICAC has successfully prosecuted that, at this point in time it is unable to go and access that proceed of that crime because it has to go to the DPP’s office. That is the only competent authority. What this section does, Madam Speaker, is give FICAC the ability to grab hold on to proceeds of crime from a successful prosecution that they

have carried out without having to go to another authority. These are some of the issues, Madam Speaker, that have been highlighted. Of course, they have to go through the entire court process. As the Amendment states, that the Proceeds of Crime Act 1997, whatever powers is given to the DPP's office, it will also apply to them. Again, the DPP at the moment, has to go through the court system, similarly FICAC will have to go through the court system.

Madam Speaker, all of these amendments, in fact, compliments the transparency within FICAC, the Constitutional provision adherence that FICAC needs and also in order to be able to get a better report in terms of our adherence to UNCAC, which we obviously will want to promote.

With those introductory remarks, Madam Speaker, I now reserve my comments for the summation.

HON. SPEAKER.- Parliament will now debate on this Bill.

HON. ROKO.T.T.S. DRAUNIDALO.- Madam Speaker, before we move to that, I only wish to draw to your attention again under Standing Order 18 and Section 173(3) of the Constitution, which in summary says that all of the Decrees and Promulgations passed since 2006, can be amended, except for the ones that have been repealed under the Constitution. However, there are certain conditions, that the amendment shall -

- (i) have any retrospective effect; and
- (ii) in any way nullify any decision made under these laws; and it goes on.

I think we are concerned about the first part, Madam Speaker, that any amendment to those laws passed since 2006 can be amended, however, any that deals with any retrospective legislation is not allowed, and that is the Constitution, the supreme law of the land which is myriad by Standing Order 92 which comes under the heading - Bill Out of Order, which states and I quote:

“A Bill that the Constitution does not allow Parliament to address is out of order, and may not be introduced. This includes a Bill that-”and goes on, and we are interested in Paragraph 2(a) which states and I quote:

“A Bill that amends a law or subordinate law described in section 173(3) of the Constitution is out of order, and may not be introduces if the Bill-

has any retrospective effect.”

Madam Speaker, I just heard the Honourable Attorney-General confirmed what I thought was in this Bill about retrospectivity and that is in Section 13 of the Bill.

Section 12(a) is deleted. The Promulgation is amended by deleting Section 12(a) and substituting the following:

“Prosecution of offences to which this promulgation applies 12(a). For the avoidance of doubt, the Commissioner may investigate and prosecute an offence specified in Section 2(a), regardless of whether this Promulgation applied to such offence at the time the offence was committed.”

So, it has retrospective application, Madam Speaker, and therefore the Opposition submits that it is a Bill that is disallowed by the Constitution disallowed by the Standing Orders. Then we ask you if you could give us some written ruling.

HON. SPEAKER.- Thank you. Can we have some clarification from the Honourable Attorney General?

HON. A. SAYED-KHAIYUM.- Madam Speaker, it does not, in any way, breaches the Constitutional provision. As we have said continuously, if a law is passed by this House and it does breach a Constitutional provision, there is a Constitutional redress mechanism that is built in through the court system. .

(Interjections)

As far as we are concerned, Madam Speaker, this does not in any way breach the Constitutional provision laid out in Section 173. So, that is our opinion and that is why this provision has been put in. Thank you.

HON. SPEAKER.- Thank you, your concern is noted.

HON. ROKO. T.T.S DRAUNIDALO.- The courts will have their own role later but, Madam Speaker, you have the role here and your role is to control this House and make sure that everything we do here is right by the Constitution and the rules of the game which is the Standing Orders and it is quite clear, Madam Speaker. It clearly says; “any amendment to those Decrees that have any retrospective application is not allowed”. It is clear, Madam Speaker, it just not allowed.

HON. SPEAKER.- Thank you.

HON. A. SAYED-KHAIYUM.- Madam Speaker, again our position is that, Section 12 (a) does not have a retrospective approval in a manner that it is laid out under Section 173, and the Honourable Member is giving a very generous interpretation. The generosity does not apply in this particular instance.

HON. SPEAKER.- Thank you. We will continue with the debate on this particular Bill, despite the concern that has been raised and the concern has been clarified by the Honourable Attorney-General. Therefore, Honourable Roko Tupou Draunidalo, you have the floor to speak on this Bill.

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

Well, notwithstanding our views that this Bill is not allowed by the Constitution and not allowed by the Standing Orders, I wish to go on to say that also in light of your ruling this afternoon, that Standing Order 51 rules out amendments under Standing Order 107 that means, Madam Speaker, that quite a lot of amendments that we wanted to make to this Bill which is being rushed through the House and my Honourable colleagues will speak more about why we always talk about this issue of not rushing but since we are rushing, we wanted to make amendments to improve the Government's Bill but now, Madam Speaker, you ruled that it is not. Let me briefly refer to some of the Sections that we would have moved amendments to if that was allowed under Standing Order 51 which we again say, does not disallow.

We would have, Madam Speaker, moved that Section 2 be amended so that the Minister (that is defined in the Amendment Bill) is the Prime Minister. That would have been the first amendment that the Prime Minister is the Minister that is in charge of this Promulgation.

We also wanted to deal with Section 4 to read:

“If you are allowed to make amendments following consultations with the Attorney-General, then expenses of the Commission shall always be met by the Government” and to add “...and Annual Reports duly and efficiently tabled annually in Parliament.”

Madam Speaker, now that we are on the issue of the finances, there is another Constitutional provision that comes to issue with this Bill, and it is the one that even the Explanatory Notes clarifies, that it is limiting the powers of the Auditor-General. Madam Speaker, and the Bill says that the Auditor-General is limited to only the financial documents of FICAC and nothing else.

Madam Speaker, the Auditor-General is also in the Constitution. He has a role in the Constitution and it is under the Accountability Chapter. His functions and powers are set out, Madam Speaker, in Sections 151 and 152.

Section 152 is very broad in the powers of the Auditor-General that the Auditor-General shall inspect, audit and report to Parliament on –

- (a) the public accounts of the State;
 - (b) the control of public money and public property of the State; and
 - (c) all transactions with or concerning public money or public property of the State.
- (2) In the report, the Auditor-General must state whether, in his or her opinion:
- (a) transactions with or concerning the public money or public property of the State have been authorised by or pursuant to this Constitution or any written law; and
 - (b) the expenditure has been applied to the purpose for which it was authorised.

Madam Speaker, when you go into all that, and then subsection (3) & (4) says:

“(3) Written law may make further provisions in relation to the office of the Auditor-General and may confer further functions and powers on the Auditor-General.

(4) In the performance of his or her duties, the Auditor-General or a person authorised by him or her has access to all records, books, vouchers, stores or other Government property in the possession, custody or control of any person or authority.

That is very broad, Madam Speaker, very, very broad powers given to the Auditor-General in the Constitution and yet, Section 16 of this Bill is amended by deleting subsection (1) and substituting the following:

“The Auditor-General may, at any time, have access to the financial and expenditure accounts...”

It is limiting, it does not list all of those things that are in the Constitution which is the superior law and to which he is entitled, Madam Speaker, to get in order so that he can do his or her report.

The Explanatory Note to this Bill, Clause 16 and I quote:

“...amends Section 16 of the Promulgation for the purpose...”, and it clearly set out, Madam Speaker, for us of restricting the Auditor-General’s freedom to view sensitive and confidential information in FICAC. Well, according to the Constitution, Madam Speaker, nothing is disallowed from his viewing.

HON. A. SAYED-KHAIYUM.- No.

HON. ROKO. T.T.S DRAUNIDALO.- Everything it lists it there, very broadly generously, Madam Speaker, that the Auditor-General is entitled to all books, vouchers and everything to inform his making of the report, and this comes under the Accountability Chapter of the Constitution, Madam Speaker. That was one section that we had particular difficulty with.

Also, Madam Speaker, the issue of removing control and powers away from the President. We would have moved an amendment to Section 5(1) so that it reads:

“the Commissioner shall be appointed by and be subject to the orders and control of the President”

Madam Speaker, this is because the Office of the President gives it that look of neutrality and independence which this body is supposed to have under the Constitution,

It carries on, Madam Speaker, we were also going to move an amendment to Section 5(5) that the:

“the Commissioner may seek the assistance and input of the Prime Minister.”

This is instead of the Minister responsible for Anti-Corruption. We would have preferred that the Honourable Prime Minister himself, being the ultimate elected authority to have that power instead of any other Minister, Madam Speaker, and we would have been interested to find out why the Honourable Prime Minister should not have such powers or indeed the President should not have such neutrality as the Head of this Independent Commission.

Madam Speaker, we wish to refer to Clause 7 of the Bill, that one which says:

“deleting the President and substituting the Commissioner”, we would have left the President there and the Commissioner.

Then Section 11(2) in particular says: “the Commissioner may modify the Standing Orders concerning the provisions of Section 8”. That is the proposed amendment and we would have put in there “that the Commissioner with the approval of the President, Madam Speaker, may amend the application of the provision of Section 8 of the Promulgation. Always having the President as the Head of this organisation, that is supposed to be an Independent Commission, Madam Speaker, and not subject to any political control from either side.

Madam Speaker, and then we go on to Section 10G and the proposed amendment there. “No civil or criminal action may be brought against any officer with regard to an act done in group faith;”

Then 10(G)(2), it says; “Where the defence to an institute charge institute against an officer, is that the Act complained up was done in obedience to a warrant purporting to be issued by a Magistrate or Justice of Peace, we would have tightened that up and made it a warrant issued not purported to be but a warrant actually issued by the High Court. It is kind of flexi, Madam Speaker, because this new Clauses 10 E, 10F and 10G - interception warrants, the applications are made to the High Court and yet, in terms of indemnity, it is enough that a warrant was issued by a Magistrate or Justice of the Peace. The production of the warrant is *prima facie* evidence that the Act was lawful. I would have thought that the production of a warrant by the same High Court or the authorisation by the High Court would have been good to meet that Clause because a Magistrate, yes – Judiciary but Justice of the Peace, I do not know, Madam Speaker, sounds doggy.

Madam Speaker, the proposed amendment in Clause 15 says, “(d) without warrant, arrest or authorise any officer to arrest a person who is suspected to have committed an offence...”

Madam Speaker, we would have proposed the amendment that; “the Commissioner may refer information to the Commissioner of Police to arrest or authorise the arrest of a person under that sub clause” instead of the Commissioner under FICAC having to do that and take

over the police powers. I will only speak about the next sub clause, I believe, to my learned colleagues who also sit on this side of the House to continue with the other amendments, but sub clause (e) talks about the Commissioner having the powers to stop someone from travelling overseas for up to 30 days and then tell the Director of Immigration to enforce that order, and then give notice to the party affected within 24 hours.

Madam Speaker, we would have amended that to say; “ may prohibit a person from leaving the jurisdiction for up to 48 hours until the Commissioner brings the matter into parties that is already served and brings both parties before the High Court, to make a determination on whether that party can leave the jurisdiction or not within 48 hours.”

Madam Speaker, these are issues of concern to us about this Bill. A few of them that I have raised and again, our major objections are the constitutional provisions as it relates to this Bill, is out of order. Also, that it is limiting the powers of the Auditor-General in the Constitution and also the civil liberties issues which we have referred to, and if we could have been allowed to amend the Bill, we would have amend it to give it protections from the High Court and applications to the High Court in the like, instead of civil servants and the Executive making decisions that are rightly reserved for the Judiciary.

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

HON. N. NAWAIKULA.- Madam Speaker, this side of the House wants to again state for the record, its concern that this Bill has come to the House under Standing Order 51 for the reason explained because it denies participation of the public and participation of the experts as has been demonstrated to you. If this were taken to that extent and referred to a Standing Committee, we would not be having all these discussions.

Having said that, Madam Speaker, having looked at this Bill, my conclusion in relation to that is that, the motive and intent of this Bill is to consolidate the power of the Government to use this very important institution, FICAC, to intimidate and threaten members of the public as we move closer to the becoming a police State. I say that because you know FICAC is a great idea, but like any good tool if it goes into the wrong hands, it will become very dangerous, and that is what has happened here. The Government has taken control of it in a lot of sense and it is no longer independent.

I can say, Madam Speaker, that I was a party to a discussion with a number of FICAC officers, who stated that in an investigation, a directive came from the Office of the Attorney-General to stop investigation for the former Minister for Health. I will not say the names, but the Honourable Attorney-General will make his time to answer to this in relation to that.

(Chorus of interjections)

HON. N. NAWAIKULA.- That is why I am saying that the Government is using this important institution as a tool to threaten and there are examples.

(Chorus of interjections)

HON. N. NAWAIKULA.- CEOs who have been kicked out of their employment, they are not talking. Why? If they talk, the Government will send FICAC after them, for this very reason and that position of the Government being in control, is consolidated, it is proven. If you read Section 115 of the Constitution, that makes it subjected to the Office of the Attorney-General.

HON. A. SAYED-KHAIYUM.- Read it!

HON. N. NAWAIKULA.- Read it!

HON. A. SAYED-KHAIYUM.- You read it! Where does it say that? You read it.

HON. N. NAWAIKULA.- You read it!

HON. A. SAYED-KHAIYUM.- You read it!

HON. N. NAWAIKULA.- You read it and make your conclusion from there. I do not want to read it, it speaks for itself.

HON. SPEAKER.- Order!

HON. N. NAWAIKULA.- Having said that, we should never believe when the Government said that FICAC is independent, it is not independent.

Now, Madam Speaker, I wish to go to some of the provisions here that I have reservations with, and the first one is Clause 6 which allows officers to arrest without warrant. The point I wish to state here is that, you do not give this power sparingly. It is alright if it is given to the Police because you know the Police, they have uniforms. With this, how would you know if someone comes to arrest you? How will he identify himself to you? That is a serious concern that you have there.

Madam Speaker, the next I refer to Clause 10(E)(4), which says; “A warrant issued under this section authorises any officer to overtly covertly enter any place.” To me, that allows these officers to come and spy on people, and that is very bad. It is a breach of their fundamental right.

Madam Speaker, Clause 10(G)(1) says, I quote; “No civil or criminal action may be brought against any officer with regard to any act done in good faith.” This immunity, so far as I know were normally reserved to Judges and Magistrates. Now, it is being given to officers and it is very, very dangerous.

The last point I wish to raise here is Clause 13(G) which I call a gagging provision. What it says in there, if an officer who has been employed by FICAC leaves work, he will be tied up, he is not allowed to talk under this provision that prohibits him and that is dangerous as well.

So with those words, Madam Speaker, I do not support this Bill.

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

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I stand to support the Bill before the House.

Before I continue, I would like to ask, Madam Speaker, how many more minutes is left because I have a lot of documents that I would like to refer, and I might take one hour?

HON. SPEAKER.- You have up to 20 minutes.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, FICAC was established on 4th April, 2007 and it continues in existence by virtue of Section 115 of the Constitution of the Republic of Fiji. FICAC was established to eradicate the prevalence of corruption, systematic abuse, misuse of public funds and public office through public sector. The Promulgation brings FICAC investigatory advisory and prosecutorial powers covering *inter alia* corruption, election bribery...

HON. OPPOSITION MEMBERS.- It is already in the Bill.

HON. CDR. S.T. KOROILAVESAU.- ...fraud and related offenses.

(Chorus of interjections)

HON. CDR. S.T. KOROILAVESAU.- Do you want me to quote from the Bible?

Under the Promulgation, Madam Speaker, FICAC is guided by UNCAC.

HON. MEMBER.- Thou shall not steal.

HON. CDR. S.T. KOROILAVESAU.- The standards cambers a broad spectrum of powers combating corruption and principles of which have not been fully encapsulated in the Promulgation as yet.

(Inaudible interjection)

HON. CDR. S.T. KOROILAVESAU.- The Bill proposes amendments to remove excessive illegal challenges faced by FICAC which in turn would help streamline FICAC's efforts in combating corruption in Fiji. Madam Speaker, in turn, these amendments would allow FICAC to be with the best international practices.

HON. OPPOSITION MEMBER.- Where is the Commissioner?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, Clause 5 of the Bill.

(Chorus of interjections)

HON. SPEAKER.- Honourable Members, time is going, if you continue to disrupt the presentation, then maybe there will be no more input out of it. Honourable Koroilavesau. Please continue.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, Clause 5 of the Bill amends Section 8 of the Promulgation by deleting Section 8 and substituting it with a new one. The Promulgation as it stands permits FICAC officers to appeal that termination with the President, following the Commissioner's authority to terminate. Although the provision allows the officer a right to be heard, there is no consideration to circumstances in which the Commissioner may need to immediately terminate the officer, particularly instances such as when the officer leaks confidential information.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.-.- Read the Constitution.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, the proposed amendments enable the Commissioner to appoint FICAC officers and set up the terms and conditions of their employment, subject to the Standing Orders made under Section 11 of the Promulgation.

Madam Speaker, Clause 8 of the Bill amends Section 10B of the Promulgation which enables FICAC to seize the evidence when conducting a search, if authorised by a search warrant. Currently, the Promulgation allows FICAC to obtain a search warrant to search a place, however there is no provision enabling FICAC to seek evidence when conducting the search.

(inaudible interjections)

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, Clause 14 of the Bill...

(Laughter)

... amends the Promulgation by inserting a new sub-section.

I think the Opposition would like to stand up and assist me in delivering my contribution. There are so many sections under this amendment that will assist FICAC....

(Inaudible interjection)

HON. CDR. S.T. KOROILAVESAU.- ... with their work and since the Opposition have agreed with me, Madam Speaker, I would like to end there and I show my support for the Bill before the House. Thank you.

(Laughter)

HON. SPEAKER.- I now give the floor to the Honourable Prem Singh.

HON. P. SINGH.- Thank you, Madam Speaker. If this Bill goes through, it will be the most draconian piece of legislation that we have had so far. Just read Clause 6 of the Bill where without warrants, people suspected of all indictable offences will be arrested without a warrant.

HON. A. SAYED-KHAIYUM.- That is what the Police does.

HON. P. SINGH.- And on the simple reason of suspicion.

HON. A. SAYED-KHAIYUM.- That is what the Police does.

HON. P. SINGH.- The Police charge you for that.

HON. A. SAYED-KHAIYUM.- Read the Police Act.

HON. P. SINGH.- This Bill gives ordinary civil servants arbitrary powers to arrest people or suspicion alone.

HON. A. SAYED-KHAIYUM.- They are not civil servants.

HON. P. SINGH.- If I am an Opposition Member, I am walking towards the Attorney-General's office, one of the guys on the other side does not like us, he can report to this officer and have me arrested on suspicion alone.

HON. A. SAYED-KHAIYUM.- Bollywood.

HON. P. SINGH.- It is not defined in this Bill, no way it is defined the reasonable suspicion. Madam Speaker, to say the least, this Bill if it comes into play, a lot of ordinary Fijians out there will have nightmares.

(Chorus of interjections)

HON. P. SINGH.- This is solely about control and about inflicting fear in people ...

HON. GOVERNMENT MEMBERS.- Yes (sarcastically) .

HON. P. SINGH.- ... so that come 2018 ..

HON. GOVERNMENT MEMBERS.- Yes (sarcastically) .

HON. P. SINGH.- this side will be taken to task, this is all about it. This is the biggest theatrics from that side and we all know about it.

Madam Speaker, one of the sections that I would like to read on this Bill is Clause 9 and it adds a new clause 5 and I quote:

“Any person who, in lawful custody for an offence, refuses to submit to the taking of any of the methods of identification authorised to be taken under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of \$2,000 and to imprisonment for 3 months and after convictions, reasonable force may be used to take such methods if identification.”

Madam Speaker, may I ask the Honourable Attorney-General, after the conviction, the accused is either in custody of the Police or the Prison officers. He is already serving his sentence, which means that you will induce reasonable force, will this mean *buturaki* of the person?

(Laughter)

Are we going to hit this man just because he refuses to give his identification? This is what the other side is telling us.

Madam Speaker, this Bill, if it goes through, you know what will happen? This will be lights of the iron curtain, the big brother watching from the top, the Gestapo and the KGB, all these people will be reminiscent of the 21st Century Hitler. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Dulakiverata and you have four minutes.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I liken the Honourable Attorney-General to an archer, who shoots an arrow to the wall and gets someone to put a ring around it.

Madam Speaker, most of the people on this side of the House were members of the regime of the Military Government, that is why they are developing an arrogant attitude and they do not listen, even if they are wrong.

HON. M.D. BULITAVU.- Teach them, teach them!

HON. J. DULAKIVERATA.- Unfortunately, Madam Speaker, the people who have decided to join this people have also developed the same attitude. Madam Speaker, for the sake of this House, I would recommend that these people, because they were taken from that environment to this democratic system. I think, Madam Speaker, for the sake of this House, they should undergo a

HON. OPPOSITION MEMBERS.- Therapy.

(Laughter)

HON. J. DULAKIVERATA.- They must be counselled.

HON. A. SAYED-KLHAIYUM.- Counselled by who?

HON. J. DULAKIVERATA.- We will find out.

Madam Speaker, the amendment to this Act, the Honourable Tupou Draunidalo had already mentioned about the Auditor-General's role which was outlined in the Constitution. It is very dangerous, Madam Speaker, because it limits the power of the Auditor-General. If the Auditor-General is not allowed to look at all these documents, how then can they properly scrutinise the accounts and all the other things of FICAC? So, it limits the power of the Auditor-General.

Madam Speaker, these are the types of things that these people, even if they know it is wrong, they still push for it. When we come here to make laws, we should make sure that it is properly scrutinised for the benefit of the whole nation. When this Bill came to power, it was during the Interim Government, and it did not go through this normal channel that we are going through now. So, it was not scrutinised, it did not have the benefit of the people to give their submissions, it did not have enough consultations, so this Government has some arrogance to come with amendments through Section 51. This would have been an opportune time for people to come and give their submissions on the amendment because they never had the opportunity before. That would have given some credence to this Bill, Madam Speaker. Thank you.

HON. SPEAKER.- There is only one minute left before the Right of Reply. Would you like to give Honourable Bhatnagar a few minutes?

HON. A. SAYED-KHAIYUM.- No.

HON. SPEAKER.- Thank you. Sorry. I will now give the floor to the Honourable Attorney-General for his Right of Reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker.

Madam Speaker, when I heard Honourable Prem Singh, I suddenly thought Honourable Biman Prasad was in the room; the Bollywood flair.

Madam Speaker, a number of the Honourable Members on the other side have actually misled Parliament. Honourable Prem Singh knows, he worked as a Law Clerk before. He knows about reasonable searches, he knows about reasonable suspicion, he knows that it exists under Common Law, but he is making a point of difference when the same law is being applied here. You know that, Honourable Singh.

Honourable Nawaikula refused to read Section 115 because he made an allegation to say that the Attorney-General controls it. It does not. Let me read the relevant section to you, Honourable Nawaikula. Section 115(6) reads and I quote:

“In the performance of its functions or the exercise of its authority and powers, the Commission shall be independent and shall not be subject to the direction or control of any person or authority, except by a court of law or as otherwise prescribed by written law.”

He knows that, that is why he did not read it out. That is precisely the point.

In the same way, Madam Speaker, the Honourable Draunidalo, when she was reading out, hoping that she will find a sub-section under the Auditor-General’s section regarding the Constitution, about other extensive powers, but she did not find it because the Auditor-General’s powers are extensive as far as assessment of Government finances, any property related to the Government finances is the purview of the Auditor-General.

The Auditor-General at the moment, when they go and audit the Judiciary, they do not go and say, “why have you ruled in this particular case in this manner?” They do not go and rule the judgments. In the same way they do not go and read the DPP’s investigation files.

This is a similar provision, Madam Speaker, that’s allows with the FICAC. They can go and check every single property, they cannot go and say, “why are you investigating this person” or “why are you not investigating the other person?” That is the reason why it is there, and it applies to all the independent offices, Madam Speaker. They are making a mountain of the molehill. In fact, there is no mountain at all, or no molehill actually.

Madam Speaker, the other point is, they keep on going on about all these control, et cetera. There is nothing in the law to say anyone controls FICAC.

Madam Speaker, the reality is, they are frightened of FICAC.

HON. S.D. KARAVAKI.- Don’t point at the Speaker.

HON. A. SAYED-KHAIYUM.- The reality, Madam Speaker is, that FICAC for example, if it existed, let me read out something from the Auditor-General’s Report back in 2003 where it says when the then Government had allocated monies for individual farmers to have fish ponds. The first two recipients of those fish ponds was then the Conservator of Forests and the Deputy Secretary in the Fisheries Office. They are the two people who received the fish ponds on their own personal property. This was what came out of the Auditor-General’s Report.

There was no law specifically, Madam Speaker, as Honourable Nawaikula knows.

HON. N. NAWAIKULA.- (Inaudible)

HON. A. SAYED-KHAIYUM.- No, of course, it will not be retrospectively applied. You know that! But, what I am trying to tell you the effects of having FICAC and this is why

many people, Madam Speaker, are frightened of it. This is why many people are frightened of the Code of Conduct.

HON. S.D. KARAVAKI.- You do not do it in law.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the point is here. We have an investigation report of a then High Commissioner of ours who under the Grant of Eco-Tourism that the then Government was promoting, which spilled over into the Bainimarama Government received \$36,000 for Eco-Tourism.

These are the kinds of things, Madam Speaker, the kind of shenanigans that were going on.

HON. S.D. KARAVAKI.- So, what you backdated it.

HON. A. SAYED-KHAIYUM.- And, Madam Speaker, FICAC is there to ensure that this does not happen. None of the amendments, Madam Speaker, in this proposed amendment that have been proposed in any way makes FICAC any more draconian than the DPPs Office, than the Judiciary and the independence that exists. Indeed, the Auditor-General's Office has very extensive powers. But, they are not talking about any political interference there? The reality is, Madam Speaker, that these amendments have been brought about because we have ratified UNCAC, and this is an ongoing process to fortify the Independent Corruption Commission that we have set up.

I remember, Madam Speaker. I was also a Board Member of Transparency International in 2004 and 2005. We then went to the then Government to say; "Ratify UNCAC, set up an Independent Corruption Commission." They did not do it. There was no political will, Madam Speaker. There was no administrative will, Madam Speaker. If you see the list of cases, Madam Speaker, that I have here, they go on about political interference.

There are people, for example, the former Prime Minister was successfully prosecuted in one case, but in the other case they discontinued because of lack of evidence. If there was political interference, they would have pursued with that. There are other cases where *nolle prosequis* have been filed. Other cases where cases have been withdrawn and the list of people who have been prosecuted, which is available in Annual Report, which the law does say, Madam Speaker

(Inaudible interjection)

HON. A. SAYED-KHAIYUM.- I have 20 minutes.

Madam Speaker, the reality is, the Annual Report is there by law. They have to submit an Annual Report.

HON. S.D. KARAVAKI.- (Inaudible)

HON. A. SAYED-KHAIYUM.- Do not drown my voice.

The Annual Report is submitted on the table in this Parliament, Madam Speaker, and the documents here, the facts speak for themselves, the cases that are being prosecuted is basically creating a culture where people are frightened to bribe people.

We want them to be frightened of bribing people. We want them to know that they cannot blackmail people. We want people to know that if they deliver 10 truckloads of gravel, they do not say, “we have delivered 50” and someone takes a cut on the side.

HON. S.D. KARAVAKI.- You take them to court. You don’t try to change them the way they want.

HON. A. SAYED-KHAIYUM.- This is what it solves, Madam Speaker, and this is why this amendment is critical for the functioning of FICAC as an independent body because it is good for Fiji and all Fijians. *Vinaka*.

HON. SPEAKER.- Thank you. Parliament will now vote, and the question is, pursuant to the resolution of Parliament on 13th May, 2016, that the Fiji Independent Commission against Corruption (Amendment) Bill, 2016 be debated, voted upon and be passed.

Does any Honourable Member oppose the motion?

(Chorus of ayes and noes)

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

HON. S.D. KARAVAKI.- Point of Order, Madam Speaker.

HON. SPEAKER.- Point of Order.

HON. S.D. KARAVAKI.- Madam Speaker, we were requesting in the first place for a ruling because of its unconstitutionality.

HON. A. SAYED-KHAIYUM.-It is not unconstitutional.

HON. S.D. KARAVAKI -That ruling has not come, so we are quite uncomfortable to proceed into the conclusion of this debate, because we need a ruling on that.

That is a very substantive issue here, Madam Speaker. We are voting on something here that is unconstitutional. I think, Madam Speaker, you should seek legal advice on this, and then make your ruling before we come back. We will be comfortable with that, Madam Speaker.

(Inaudible interjections)

HON. SPEAKER. – I had already made a decision that this Bill will go through under Standing Order 51, and we have gone through the whole process (the debate and everything), and we are now ready to vote. So, I will not be able to retract the ruling that I had made. Therefore, Parliament will now vote on the Bill. Open the vote.

Question put.

Votes Cast:

Ayes	:	28
Noes	:	15
Not Voted	:	7

Motion agreed to.

A Bill for an Act to amend the Fiji Independent Commission Against Corruption Promulgation 2007 (Bill No. 30 of 2016) is enacted by the Parliament of the Republic of Fiji. (Act No. of 2016)

Thank you very much, Honourable Members. That brings to an end all the items under the Order Paper for today. Parliament is now adjourned until tomorrow morning and I thank you very much for that debate that we have just had. I wish you a restful night before we meet at 9.30 tomorrow morning.

The Parliament adjourned at 5.51 p.m.