

**WEDNESDAY, 20<sup>TH</sup> MAY, 2015**

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

MADAM SPEAKER took the Chair and read the Prayer.

**PRESENT**

All the Honourable Members were present, except the Honourable Prime Minister and Minister for *iTaukei* Affairs and Sugar Industry; the Honourable Minister for Fisheries and Forests; the Honourable Minister for Education, Heritage and Arts, the Honourable Minister for Health and Medical Services; the Honourable Minister for Youth and Sports; the Honourable Viam Pillay; and the Honourable Lt. Col. Netani Rika.

**MINUTES**

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

That the Minutes of the sitting of Parliament held on Tuesday, 19<sup>th</sup> May, 2015 as previously circulated, be taken as read and be confirmed.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

**COMMUNICATION FROM THE CHAIR**

MADAM SPEAKER.- At the outset, I would like to just announce some the rulings that had been requested for me to make since last week.

**Matter of Privilege**

Firstly, last week, the Honourable Roko Tupou Draunidalo raised a matter of privilege in the House. I will now make my ruling.

The essence of the matter raised was that the requirements of the Public Order Act, requiring Members to get a permit for holding public meetings with constituents, is an infringement of the rights of the Member.

In ruling on this matter, regard must be held to the principle of the protection of the proceedings in Parliament. Honourable Members will be aware that freedom of speech in debates on proceedings in Parliament enjoy absolute protection, as well as debates in the Chamber. This protection extends to proceedings in Committees.

It maybe that a meeting with constituents is related to the proceedings of Parliament, for example, perhaps the meeting is to give a Member information for them to use for a speech in the House. However, while Members work with constituents is very important and a large part of their job as a Member of Parliament, it does not fall within the definition of “proceedings in Parliament” and therefore, protected by Parliamentary Privilege.

The Public Order Act makes clear the requirement to obtain a permit and all Members are required to comply with and are bound by the provisions of the law.

I, therefore, rule that there has been no breach of privilege in this matter.

Eligibility of the Honourable Attorney-General to sit  
in the Privileges Committee

On another ruling, I now wish to rule on a point of order raised by the Honourable Bulitavu, regarding the eligibility of the Attorney-General to sit on the Privileges Committee.

On the Privilege Committee Inquiry, as he was the mover of the motion, referring the allegation of breach of privilege to the Committee. A Member may not sit on a Committee if he or she has a direct pecuniary interest or a personal interest in a matter under inquiry by the Committee.

In my opinion, personal interest should be interpreted in the very narrow sense of an interest, peculiar to a particular person. In this instance, the eligibility of the Attorney-General to sit on the Committee is acceptable because firstly, there is no claim of him having a direct pecuniary interest in the inquiry.

Secondly, in my opinion, the Attorney-General does not have a personal interest to the extent where he might derive a personal benefit from the outcome.

In my view, the Attorney-General simply moved the motion on behalf of the Government, and may well have not moved it himself had the honourable Prime Minister been in attendance.

I, therefore, rule that there is no impediment to the Attorney-General participating in the Inquiry.

Finally, I take this opportunity to also advise Members that it would assist the Committee's process if Members refrain from further discussing the matters under consideration in the House until the Report is presented. There will be ample opportunity to debate the issues after that time.

I now wish to inform Honourable Members that honourable Semesa Karavaki has withdrawn his point of order raised yesterday.

HON. S.D. KARAVAKI.- Point of Order, Madam Speaker. I was just wanting to come and see you on that issue, to probably discuss that point, and I would like to confirm that any discussion on that can await our discussion.

MADAM SPEAKER.- Thank you, we will do that and we will discuss it again tomorrow or the next day, but it is withdrawn from today's sitting.

**CONFIRMATION OF MINUTES**

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

That the Minutes of the sitting of Parliament held on Tuesday, 19<sup>th</sup> May, 2015 as previously circulated, be taken as read and be confirmed.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

Communication from the Chair

Acknowledgment of Visitors

MADAM SPEAKER.- I warmly welcome all of you joining us in the public gallery and those watching proceedings on television, internet and listening to the radio. Thank you for taking interest in your Parliament.

Population Message

The 2007 Censuses in Fiji counted the population of 15 to 29 year olds to be around 230,000. When we reach 60 years and over, there were only around 63,000 - a huge difference of 167,000. Of the 15 to 19 year olds, 120,000 were men and 114,000 were women. Men outnumbered women by 6000. However, when we reached 60 year olds and over, there were 30,000 men and 33,000 women. Women outnumbered men by about 3,000, as I had mentioned previously.

Honourable Members, laws and policies must ensure that women are not left behind in the development process.

**PRESENTATION OF PETITIONS**

Vaturu Dam

HON. V.R. GAVOKA.- Madam Speaker, I rise to table a petition signed by over 500 members of the *Mataqali* Navuke, *Mataqali* Nasalaulu, *Mataqali* Naivua *Mataqali* Nalotawa owners of the land where Vaturu Dam sits today. If Parliament can look into the arrangements that was signed by them, approved by their parents some 40 years ago regarding the allocation of this land and the relevant compensation.

Madam Speaker, Vaturu Dam is a source of water for about 180,000 people starting from Momi to Lautoka. It is a huge project and the deal was signed at that time some 40 years ago.

Madam Speaker, their parents signed this in 1979 or so and you know the characteristics, the qualities of these people; their parents, they are generous. In Fijian we say "*era doka na matanitu, doka na veiliutaki*" respect the government and respect leadership. It was given at that time in that spirit. I think it is incumbent upon us today as leaders in Parliament to be prepared to re-open these cases and address the issues that they bring up.

The public and Fiji has benefitted greatly from their generosity and we should be prepared when their sons and their daughters come up today and said, "Please, can you relook at some of these issues?"

I ask Madam Speaker, if this House can approve the setting up of a Standing Committee to look into these issues and resolve this matter for these great and wonderful people who have generously given their resources for most of the Western Division to benefit from.

MADAM SPEAKER.- Thank you. Please hand the petition to the Secretary General.

*(Petition handed to the Secretary General)*

Under Standing Order 37, I refer this petition to the Standing Committee on Natural Resources.

#### Conditions of Work at the Grand Pacific Hotel

HON. V.R. GAVOKA.- Madam Speaker, I again rise to present another petition, but sadly, this petition fills me with sadness. It has about 67 signatories from staff and former staff of the Grand Pacific Hotel here in Suva, who are asking us, their fathers and uncles, to look into the conditions under which they work.

Madam Speaker, what I have here are reports of treatment that I did not know existed in this country, even from the time of Independence. I was an hotelier, I was a General Manager and I never knew of people treating their staff like this. They have tried everything, they have gone to all the avenues available to them but nothing has happened. There was some mention in the media last week, and that was the only time a profile of this was brought up. eaker, they have come to us. They believe in this House. They said, "Please, can you look into this?" We do not want to be called names that in the past, if anyone hears these names, they were given 24 hours to leave this country.

Let us go back to 1980 at the Tourism Convention at Naviti where the Tui Nayau, Ratu Sir Kamisese Mara, laid out the vision or the platform for tourism where he said, "it will be tourism on our terms". Madam Speaker in history in this country, anyone who treats our people like this was given 24 hours to leave the country. I do not want to pre-empt what the findings would be, Madam Speaker, but anyone who reads this will find that our people are facing some very, very horrendous treatment at the hands of leadership at the Grand Pacific Hotel, Madam Speaker.

MADAM SPEAKER.- Thank you. Please hand the petition to the Secretary General.

*(Petition handed to Secretary General)*

Under Standing Order 37, I refer this petition to the Standing Committee on Justice Law and Human Rights.

HON. P. KUMAR.- Point of order.

MADAM SPEAKER.- Point of order.

HON. P. KUMAR.- Madam Speaker, I wish to submit two written answers under the provision of the Standing Orders.

MADAM SPEAKER.- Thank you. Please hand it over to the Secretary General.

*(Written responses handed to Secretary General)*

We will now move on to the Questions and I now invite the Honourable Leader of the Opposition to ask her question.

## **QUESTIONS AND REPLIES**

### Oral Questions

Balance of Pension Entitlement – Mr. Laisenia Qarase  
(Question No. 115/2015)

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

Would the Honourable Attorney General, Minister of Finance, Public Enterprises, Public Service and Communications explain why Mr. Laisenia Qarase, former Prime Minister of Fiji, has not yet received the balance of his pension entitlements? Thank you Hon. Speaker

HON. A. SAYED-KHAIYUM (Attorney General, Minister of Finance, Public Enterprises, Public Service and Communications).- Madam Speaker, before I answer the question which is in fact the affirmative, I would like to state what the law is regarding the payment of ex- Prime Minister's pension.

All ex-Prime Ministers in the Republic of Fiji under Section 4 of the Prime Minister's Pension Act 1994 shall be payable in accordance with the following formula:

- 1) where a Prime Minister has held office for not more than two years, 20 per cent of salary payable upon retirement;
- 2) where he or she has held office for more than two years –

20 per cent of salary payable in respect of the first two years;

thereafter, an additional 10 per cent for each succeeding year for three years; and

where he has held that office for more than five years, for each completed year of service after the first five years, an additional 5 per cent of salary up to a maximum of 75 per cent of salary.

Madam Speaker, all ex-Prime Ministers are also entitled to other benefits under Section 9 of the Act. These include, if they have completed 5 years:

- (1) provision for the installation, connection, maintenance and rental of a telephone in any private residence of his (as the law states), and to meet the cost of all charges in respect of local calls originating from such telephone;
- (2) provision for a Ministerial-type vehicle and a driver, including free travel on scheduled trips of Government ships;
- (3) medical treatment, hospitalisation, drugs and all other hospital services locally provided that where local specialist treatment and medical treatment overseas including the cost of treatment, accommodation and air travel are necessary, such expenditure may be incurred at the discretion of the Prime Minister;
- (4) the provision of an annual budgetary allocation of an amount of \$30,000 per annum and subject to periodic adjustments, to enable the person in receipt of a pension, to hire personal staff as required; and

(5) , provision of security protection at the discretion of the Prime Minister.

Madam Speaker, the Honourable Leader of the Opposition and I have had this discussion previously on two occasions. As recently, I mentioned to her there is no outstanding balance owed on the pension. The arrears from December 2006 right up to 18<sup>th</sup> December of an amount of \$583,263.64 which included gratuity was paid to Mr. Qarase on 18<sup>th</sup> December, 2014 .

Furthermore, he is currently receiving a fortnightly pension of \$2,443.78. The reason why this amount has increased, Madam Speaker, is because Government in 2012 and 2015 gave a 20 per cent increment on both those years to all pensioners. So he has received a 40 per cent increase in the pension amount that he would have originally been entitled to.

The latest fortnightly pension payment was made on 12<sup>th</sup> May, which is last week, totalling \$2,443.78.

Madam Speaker, I have the calculations here. So as far as the actual pension is concerned Madam Speaker, he has received all pensions that are payable under the law, with the revised amounts and not a single cent less.

Mr. Qarase has also claimed under “Other benefits entitlements”, the following:

He has claimed the reimbursement of telephone and medical expenses. in the sum of \$926.36, for the period 2013 and 2014, which I can tell you that, that was in fact paid to him last week. The cheque is probably on its way, or he may already have received it.

He has claimed a cash allowance of \$245,000 from 5<sup>th</sup> December, 2006 and 5<sup>th</sup> February, 2015, and I will come back to that later.

He has also claimed “Transport allowance”, in the sum of \$392,000, from the same period.

Now, he was paid that amount, as I mentioned (\$926.36) on 15<sup>th</sup> May.

Regarding the payment of the cash allowance under Section 9(1)(4) of the Act, which is the \$30,000 per annum for the engagement of personnel staff or personnel to look after him, et cetera, the Cabinet Office has already written to him saying that he needs to provide verification as to who were the staff that were engaged and what amounts were paid and then they will reimburse that amount.

The Cabinet Office has also written to him to say that the \$30,000 is not entitlement *per se*, it must be going towards the payment of salary for that staff who is hired for looking after him. Now, that letter was written to him and Mr. Qarase has, in fact, responded and that letter is dated 18<sup>th</sup> May and was received by the Secretary to Cabinet on 18<sup>th</sup> May also, in which he is saying that no one told him that he would not get the \$30,000. Let me just read that out to you Madam Speaker

“To assist the review of my claim, I confirm that 6<sup>th</sup> December, 2006, I have engaged several individuals as personnel staff; two women, one handyman, and at times, more than three individuals as necessary. They were paid allowances for the services but there was no documentation as mentioned above. In addition, all secretarial services have been provided by a computer, typing, photocopying agencies. My grandchildren provided computer and internet services via my personal computer. Again, my payment for these services were not documented”.

So that is the response that he has given in respect of the allowances. Now, there is also the issue of the amount of money that he is claiming regarding the motor vehicle because he was in fact, not given the motor vehicle. We accept that, in that period of time.

Now, he has claimed an amount of \$275,000 for the non-provision of the motor vehicle. What we have suggested to Mr. Qarase, is to say to him "Look, because the law does not provide, yes the law said that we need to provide a motor vehicle, it was not provided and the fact now is that he wants to claim for that amount, he is claiming about \$245,000 for that. So what we are saying to him, in order to ensure that the Auditor-General does not pick it up on this but that is the way to go for it in terms of fixing up the past, why do you not provide us with the mileage as government does? Normally, when you make a mileage claim, you provide the size of the vehicle, you provide the mileage, and then based on that, then we can make the payments to him.

He has again also responded to that and said that, he does not have those records.

"With respect to my claim for transport allowance, I advise that since 2008, I have been using a full-time vehicle belonging to my family company "Q10 Investments Limited."

And then he has given me the details of the vehicle - Nissan Navara, etc.

"My driver receives a weekly allowance paid for by my son now living in Australia, I could not afford to pay for a driver because my pension had been withheld by Government until December 2014. I promised my son that I will pay him back; payments of the driver's allowances were not documented."

Then he has given his mileage.

"The mileage on my vehicle No. FN498 as at 7<sup>th</sup> May, 2015, is 115,396 kilometres. I used another vehicle from September 2007 to early 2008 but I do not have any record of this vehicle as it was sold in early 2008."

So, he is obviously responded to that and we will be shifting through that but as far as the pension *per se* is concerned, Madam Speaker, the pension is all up to date. The issue now is regarding the actual additional benefits that the former Prime Minister is entitled to. Thank you Madam Speaker.

HON. N. NAWAIKULA.- Madam Speaker, I would like to make a supplementary question on these other benefits. The Attorney-General has stated that in relation to other benefits; telephone, Ministerial type vehicle and medical treatment. My question does extend to other Prime Ministers as well. The other who qualifies in this is Sitiveni Rabuka. Could the Honourable Minister explain why were they denied their Ministerial vehicle, when the law provides that they should be? When can they, meaning Mr. Qarase and Mr. Rabuka expect a vehicle?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the question is partially related to the substantive question.

Madam Speaker, yes, it was not provided, we accept that, as I have said in my statement and we will now want to remedy that non-provision at a particular point in time. They were obviously, at that point in time decisions that were taken relating to the political climate at that time. The reality is, now that we can argue about that till the cows come home, but the point is Madam Speaker, we want to remedy the past and we have taken that on board. We have suggested a way forward to Mr. Qarase, similarly should there be any other Prime Ministers which also includes Mr. Mahendra Chaudhry who is entitled to certain entitlements, there will also be remedies and that is the way forward.

HON. N. NAWAIKULA.- Do you have a time?

HON. A. SAYED-KHAIYUM.- As soon as possible, as you can see that I read out the letter when it was sent last week, Madam Speaker, we responded to that very quickly. We obviously, want to no longer have this hanging over our heads. Thank you.

HON. RO T.V. KEP.A.- Madam Speaker, I thank the Honourable and learned Attorney-General for his response this morning. In that, the former Prime Ministers would be remedied in terms of the other benefits, because it is not only Laisenia Qarase and Sitiveni Rabuka, also the current Prime Minister (honourable Rear Admiral (Ret'd) Voreqe Bainimarama) will also come into this particular category of citizens who are former Prime Ministers having served over five years that also need to have all benefits, as provided under the law.

in asking this question Hon Speaker,, because there was no formula or calculation provided for the payments that has been given over the past few years. So, I am happy that the Honourable Attorney-General has provided that this morning, and also that the vehicles will be provided to the former Prime Ministers because with a Ministerial vehicle, all maintenance, running costs and fuel will be borne by Government under the entitlements. So, when they have been using their private vehicles, it is very costly to them, in that, they do not have the provisions for running this vehicle which should be provided for by Government and it is good that the Honourable and learned Attorney-General has promised that all these will be taken into account and provided for the former Prime Ministers.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I did not detect the question there at all. It is supposed to be supplementary question time. Of course, with respect to the Leader of the Opposition, obviously the Members of this side let her continue.

I thank the Honourable Leader of the Opposition though for raising this issue and in fact, we have considered this particular entitlement as a policy matter at the moment. I will give you an example. Most Government vehicles now, Madam Speaker, are leased by Government. In this manner, we are able to provide more vehicles to all the different departments. Because as you know, for decades, there have been a shortage of vehicles, so in order to fast track the provision of vehicles in different Ministries, we are now leasing it. It makes it a lot more inexpensive to lease those vehicles, otherwise you have a huge capital outlay. So, Madam Speaker, we are also considering that, in terms of the provision of the vehicles to former Prime Ministers. Whether indeed, it would be better to give an allowance for vehicles as opposed to providing a vehicle with a driver, which is leased vehicle, the insurance issues, maintenance issue, et cetera.

So the reality is that, if they are entitled to the motor vehicle, or an access to a motor vehicle, how best to do that? Do we actually physically give it or do we give them a cash entitlement so they can go and choose whichever vehicle they want?

So these are some of the policy matters that we are looking at. Indeed, the \$30,000 entitlement regarding the payment of salaries to staff, he has said in his letter that he was not informed that he had to keep all these records. I do not think, and I stand to be corrected, Mr. Mahendra Chaudhry actually claims for that, but even if he does, and even if Mr. Sitiveni Rabuka does, we need to be able to make it a lot more efficient so they do not actually have to keep a separate secretary to keep a documentation of all the receipts. Whether it should be an allowance paid and what sum needs to be paid, obviously that will be brought to this Parliament. Thank you.



HON. M.D. BULITAVU.- Madam Speaker, good morning. Given our political history that the country has gone through, we have caretaker prime ministers,

HON GOVERNMENT MEMBERS: Question???

HON M.D. BULITAVU - interim prime ministers, unelected prime ministers and democratically elected prime ministers. My question to the Honourable and Attorney-General is, the description in the law that defines which Prime Ministers are eligible for these pensions. Is the law clear on that, the definition of which Prime Minister, we are talking about many Prime Ministers here who can claim but what does the law say about which Prime Ministers; democratically elected prime ministers?

HON. A. SAYED-KHAIYUM.- I have the law here, and I will quote accurately. Quote accurately.

HON. N. NAWAIKULA.- Thank you.

HON. A. SAYED-KHAIYUM.- Madam Speaker, Section 4 of the 1994 Act says: “The Prime Minister’s pension under this Act shall be payable in accordance with the following formula where a Prime Minister has held office.”

HON. N. NAWAIKULA.- How?

HON. M.D. BULITAVU.- Lawful or?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I am answering the question. It says “... where a Prime Minister has held office.” That is the entitlement. It would be interesting to see whether Mr. Sitiveni Rabuka’s pension has been claimed precedes 1992. We will need to find that out.

But obviously these matters are not related to the substantive question.

MADAM SPEAKER.- Lastly, I invite the Honourable Karavaki to ask his supplementary question.

HON. S.D. KARAVAKI.- Madam Speaker, question to the Honourable Attorney-General. Considering that Honourable Qarase had taken office as a prime minister for more than 5 years, what exactly is the total percentage of his pay that is payable to him as his pension?

HON. A. SAYED-KHAIYUM.- Sorry, I think the Honourable Dr. Biman Prasad is feeling very elated because he just informed me across the floor that Mr. Sitiveni Rabuka was not Prime Minister before 1992, so his history of political prime ministership is a lot more better than mine. Madam Speaker. He keeps tabs on these things.

Madam Speaker, I refer the Honourable Member to Section 4 of the particular law in question. And it says. I will read it out to you now Hon Member. The formula is this,

“The Prime Minister’s pension under this Act shall be payable in accordance with the following formula:

A) Where a prime minister has held office for not more than 2 years, 20 per cent of the salary payable upon retirement.

Where he has held office for more than 2 years -

- (1) 20 per cent of salary payable in respect of the first two years;
- (2) thereafter an additional 10 per cent for each succeeding year for three years;
- (3) where he has held that office for more than 5 years, for each completed year of service after the first 5 years an additional 5 per cent of salary up to a maximum of 75 per cent of salary.”

Of course, then that amount in Mr. Qarase’s case, I can tell you the pension amount came up to \$1,697.07, then there was an additional 20 per cent increase given in 2012, that added \$339.41. Then there was an additional 20 per cent in 2015 which gave him an additional \$407.30, which was calculated on the amount of \$2,036.48. So, his fortnightly pension now is \$2,443.78. So, Mr. Qarase, approximately gets \$4,900 a month in pension.

MADAM SPEAKER.- Thank you. The question has been adequately answered. I will move onto the second oral question.

Pre-paid electricity – Peri-urban and Rural Consumers  
(Question No. 116/2015)

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

Can the Honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport advise whether it is possible for peri-urban and rural consumers to be transitioned from FEA power supplied electricity to pre-paid electricity or cash power if they choose to in order to support their affordability for energy and power.

HON. P.B. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure and Transport).- Madam Speaker, in short it is possible.

Madam Speaker, FEA already has a policy in this regard. The policy is that FEA installed these pre-paid meters for all the rural customers that are being connected on the completion of the rural electrification schemes that are funded by the Government.

As for peri-urban, FEA does not intend to replace the traditional post-pay meters at this point in time. But let me assure you, Madam Speaker and the Honourable Members, that this Government is all about new ideas.

Also in terms of assisting people, so once we are done and deal with the rural scheme projects, definitely we will look into the peri-urban sector.

MADAM SPEAKER.- Supplementary question. I invite the Honourable Leader of Opposition.

HON. RO T.V. KEPA.- Madam Speaker, it is always good to hear the Honourable Minister assuring us of Government’s new ideas.

Madam Speaker, I would like to ask the question, because he has assured us of peri-urban and rural customers, what about rural and maritime, when can they be given this opportunity for cash power which we are all enjoying?

MADAM SPEAKER.- Is there a point of order?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, that was not a point of order. I just stood up to stress a point, that is all.

HON. OPPOSITION MEMBER.- You should have been a minister.

HON. P.B. KUMAR.- Madam Speaker, as I have said in my response that FEA has taken this programme for the rural dwellers, for maritime, they are still working on it but I have been assured by FEA that definitely maritime will also be in this programme.

MADAM SPEAKER.- I now invite the Honourable Sanjit Patel.

HON. S. PATEL.- I would like to ask the Honourable Minister to inform the House, who bears the cost of these charges?

HON. OPPOSITION MEMBERS.- Taxpayers, consumers.

HON. P. KUMAR.- Madam Speaker, will you take the answer from me or from them?

(Laughter)

(Chorus of Interjections)

MADAM SPEAKER.- Order! Order!

HON. P. KUMAR.- Madam Speaker, there are already three answers on the floor, the fourth one from me states that FEA bears the cost.

MADAM SPEAKER.- I will now invite the Honourable Salote Radrodoro to ask her supplementary question.

HON. S.V. RADRODRO.- Madam Speaker, I hear the Honourable Minister on the peri-urban, the informal communities in the urban centres which constitute a big number of our population and if indeed for poverty alleviation, can a survey be carried out to determine the demand level by the population in these communities to be able to assist them in their daily lives in terms of ....?

HON. MEMBER.- What is your question?

HON. S.V. RADRODRO.- The question is; can the Honourable Minister explain when a survey can be carried out to determine the demand level by the informal population in the informal sectors in the urban centres because this is an area that needs to be addressed?

MADAM SPEAKER.- Thank you. The question is clear, can I ask the Honourable Minister if he wants to answer that question?

HON. P. KUMAR.- Madam Speaker, FEA have all these records and I am very willing to submit to this Chamber at a later sitting. However, let me assure this august Chamber that while my

Ministry deals with the squatter settlements, we also consider how we can assist these types of people in terms of supplying electricity as well. So, these are things on the board and I can assure you that in a later sitting, I will provide these reports.

MADAM SPEAKER.- Thank you. I will now invite the Honourable Niko Nawaikula to ask his last supplementary question.

HON. N. NAWAIKULA.- Madam Speaker, I want to tell the Honourable Minister ...

(Chorus of Interjections)

... the last time they cut off my electricity, three weeks ago, I called the number and the machine replied. Then eight hours later, they came up to fix it. So, obviously, that is the the better option is for the machine, that is a better option. So that if electricity goes out, I put another piece of coin and it comes back again.

Now, that you are open to new ideas and this is a better idea, can you give us a timeline when you can recommend this to FEA?

HON. P. KUMAR.- Madam Speaker, I am not in a position to give any timelines.

HON. OPPOSITION MEMBERS.- No good.

HON. P. KUMAR.- When we are ready, we will come with that. Thank you.

(Chorus of Injections)

MADAM SPEAKER.- We will now move on to our next Oral Question.

Return of Customary Land to Landowners – Nayaca Subdivision  
(Question No. 117/2015)

HON. M.D. BULITAVU asked the Government, upon notice:

Would the Honourable Minister for Lands and Mineral Resources inform Parliament if Nayaca Subdivision in Labasa, which is now Crown Land (State Land) would be returned to its customary landowners and/or whether compensation will be provided for customary landowners' displacement?

HON. M. VUNIWAQA (Minister for Lands and Mineral Resources).- Madam Speaker, the short answer to that question is no. I believe it is premised on the relevant constitutional provision in relation to compensation and reversion of *I Taukei* land to native landowners.

I reiterate yet again, I had given this answer in the context of a similar question in relation to land from Cunningham River up towards the Quarry in Nasinu. I had said then and I say it again, the constitutional provision under the 2013 Constitution mandates the return of land that was acquired for public purpose by Government after the commencement of the Constitution, which is September 2013.

There are different laws that cover the transfer of land for public purposes prior to September 2013. The constitutional provision for 2013 does not apply to this.

HON. N. NAWAIKULA.- Madam Speaker, the Honourable Minister is obviously aware of Section 8 of the State Lands Act which allows for that; for land previously acquired to be returned. Examples are: the strip of land from Four Miles to Ten Miles. Examples in Labasa is Vaturekuka.

I know that the last Government had returned some of these land. The question that I want to ask is; does the Government have a policy? She has also pointed to Section 28(2) of the return, does the Government have a policy? Madam Speaker, by policy, I mean, applications and timelines by which landowners can make their applications for the return of land because some of those land have been held for over 100 years.

Madam Speaker, does the Government have a policy now where I can point out to the landowner; “This is a policy. You can fill this form in and you expect the land to be returned within this time”. Do they have a policy and if no policy, can she undertake that she can do this, and by which time?

HON. M. VUNIWAQA.- Madam Speaker, I refer to Section 28 of the Constitution, that is not a policy, that is the supreme law of this land. Government is mandated to return land acquired after September 2013. As for land acquired prior to that date, Section 8 of the State Lands Act does apply but it gives a discretion on Government.

Again, I reiterate, Madam Speaker, I had given this answer previously and I say it again, Section 8 is a discretionary provision on Government. Government needs to consider it and take it to Cabinet. There needs to be Cabinet approval.

Madam Speaker, it does not stop applications to be made, but such applications reach my office almost every day. However, as a matter of policy, it will be considered in that light. Government, of course, has other interests in mind – public interest, in relation to some of these land. Each case would be considered on its own merit. There is no bar to such applications like I have said, I receive applications every day. It will be considered in that light.

HON. S.D. KARAVAKI.- Madam Speaker, I stand to be corrected here. The last time in this House when this was discussed, the Honourable Minister stated that under Section 24 – Article 28 of the Constitution actually in the provisions where other laws allow the land to be returned, and therefore that provision still allows the native lands that are held by Government to be returned to the landowners.

But today, I would like to ask the Honourable Minister, has it changed now that according to what I was arguing, that the Constitution does not allow the return of the native land from the effective date of the Constitution? Has she changed her position, that now native land (those that were acquired for public purposes) can no longer be returned?

HON. M. VUNIWAQA.- Madam Speaker, there is no change of position. I would like to read Section 28(2) of the Constitution.

HON. S.D. KARAVAKI.- Well, read!

HON. M. VUNIWAQA.- I quote:

“Any *iTaukei* land acquired by the State for a public purpose after the commencement of this Constitution under Section 27 or under any written law shall revert ....”

HON. S.D. KARAVAKI.- Under any written law!

HON. M. VUNIWAQA.- It's the effective date of this mandate to return land. The effective date is the commencement of the Constitution.

(Chorus of Interjections)

MADAM SPEAKER.- Please continue.

HON. M. VUNIWAQA.- The commencement of the Constitution is 7<sup>th</sup> September, 2013. That is the effective date of that constitutional provision, and that is when Government is mandated to return such land.

MADAM SPEAKER.- The Honourable Mosese Bilitavu?

HON. M.D. BULITAVU.- Madam Speaker, you know the people in Labasa right now will be very angry. For the first time, Madam Speaker, to hear that the land after the effective date of the Constitution will not be returned.

HON. A. SAYED-KHAIYUM.- No!

HON. M.D. BULITAVU.- That is what the Honourable Minister said.

MADAM SPEAKER.- Your question, please.

HON. M.D. BULITAVU.- To come to this question, Madam Speaker, the Honourable Minister can go down to the NLC right now and check an evidence book by G.V. Maxwell, Macuata, an NLC hearing that was done in 1920.

MADAM SPEAKER.- That is not a question.

HON. M.D. BULITAVU.- It is a question related to this with regards to Nayaca, Madam Speaker.

HON. RATU I.D. TIKOCA.- It is very important.

HON. A. SAYED-KHAIYUM.- Question?

HON. M.D. BULITAVU.- The customary landowners who were identified, they gave their *bubului*, their oath, it is there, they are customary landowners, but Government took this for public purpose. It is simple.

My question is, the hardship by the owners and how the acquisition has affected them, will Government consider their status as being displaced?

MADAM SPEAKER.- Thank you. Honourable Minister?

HON. M. VUNIWAQA.- I reiterate yet again, the laws relevant to the return of land prior to September, 2013 are different. It is a discretion on Government, and moreover the parcels of land we are talking about, the transfer were done by way of sale. I can say for certain, at least for one parcel of that, there is about four parcels altogether, one of them was sold by the owners to, not to Government, to private citizens.

HON. N. NAWAIKULA.- Why?

HON. M. VUNIWAQA.- They were sold to private citizens.

HON. N. NAWAIKULA.- So, why did they do that? Return it to the landowners.

HON. M. VUNIWAQA.- Much later that they were transferred by those private citizens and ended up with the CSR. The transfer of the land from native owners to outside of native ownership was by sale, for at least one of those parcels.

HON. N. NAWAIKULA.- Wrong! Morally wrong!

HON. M. VUNIWAQA.- Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. We will move on to the next oral question, and I invite the Honourable Jilila Kumar to have the floor.

HON. J.N. KUMAR.- Thank you, Madam Speaker, and good morning to you.

MADAM SPEAKER.- Good morning!

REACH Programme  
(Question No. 118/2015)

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

Would the Honourable Minister for Women, Children and Poverty Alleviation enlighten the House about the new project called the REACH Programme that was signed last month by the Ministry, the Japanese Government and the United Nations Development Programme?

HON. R.S. AKBAR (Minister for Women, Children and Poverty Alleviation).- Madam Speaker, I rise to answer the question raised by the Honourable Member, and I thank the Honourable Member for this question.

Madam Speaker, REACH is the acronym for Rights Empowerment and Cohesion for the Rural and Urban Fijians. In the post-2014 National Elections Agenda, the main priority of the Ministry was to improve the services to the people of Fiji who are disadvantaged or require special assistance.

At the outset, I would like to thank the Government and the people of Japan for partnering the Ministry in this initiative; an initiative which will be administered by the UNDP, in partnership with my Ministry.

The REACH Programme, Madam Speaker is designed to enhance the opportunities of Fijians living in our nation's urban and rural areas. Building a resilient approach to access to services, the Programme is basically to reach out and boost the Rights Empowerment and Cohesion for Rural and Urban Fijians. It is about boosting access by disadvantaged Fijians to legal and social services, and it very well complements and reinforces the Government's existing programmes to ensure that every Fijian gets the same opportunity.

Madam Speaker, we are building this capacity with this initiative hand in hand with the Japanese Government and UNDP to ensure that more Fijians have access and privileges that form the centre piece of any progressive nation. I am especially pleased to see the emphasis in this Programme on gender equality because empowering our women and giving them the opportunity to build better lives for themselves and their families is a cause dear to the Ministry.

The realm of assistance during this Project is particularly with three mobile buses, in ensuring to improve the clientele to the vulnerable in the society, these three buses will provide a one-stop service for all, including social services, justice and more so on good governance.

Madam Speaker, the willingness to state the support in Fiji is a milestone in achieving greater opportunities and targets, and aligns the Government's commitment in relation to the 2013 Constitution on Right to Access of Services and Information.

HON. J.N. KUMAR.- A supplementary question, Madam Speaker.

MADAM SPEAKER.- A supplementary question from the mover of the motion.

HON. J.N.KUMAR.- Madam Speaker, when will this Project be implemented? .

HON. R.S. AKBAR.- Madam Speaker, we intend to implement this project as soon as the three mobile buses arrive in the country.

MADAM SPEAKER.- I will now ask the Honourable Salote Radrodro to ask a supplementary question.

HON. S.V. RADRODRO.- Madam Speaker, I acknowledge and welcome the submission by the Honourable Minister. My question is, how much is being donated by the Japanese Government and also the UNDP? How much of this is being targeted for the development and empowerment of women towards the Women's Plan of Action? And, also how much.....

MADAM SPEAKER.- Thank you. You can only ask one question, and I accept the first question asked.

HON. R.S. AKBAR.- Madam Speaker, I will respond to the first part of the question as to how much is the contribution of the Government of Japan. We are receiving a total of \$US2.7 million from the Japanese Government for this project.

MADAM SPEAKER.- Thank you. I now invite the Honourable Mikaele Leawere to ask the third and final question.

HON. M. LEAWERE.- Supplementary question, Madam Speaker. Does the Government provide free legal services to disadvantaged Fijians as according to your response this morning?

HON. R.S. AKBAR.- Madam Speaker, yes, we do intend to include that in our REACH Programme. As you are aware, the Government has been opening up Legal Aid Commission Offices throughout the country, and we will use that service to be part of our REACH Programme.

MADAM SPEAKER.- Thank you. We will now move on to the fifth question, and I invite the Honourable Ruveni Nadalo to have the floor.



HON. R. NADALO asked the Government, upon notice:

Fiji is increasing its bilateral engagement with countries such as China, UAE, Russia, India and others. In the past couple of years major leaders are also visiting the country. Can the Honourable Minister for Foreign Affairs inform this House what has caused this influx of interest in Fiji, and what is the impact of such bilateral engagements?

HON. RATU I. KUBUABOLA (Minister for Foreign Affairs).- Madam Speaker, I would like to thank the Honourable Member for this question. Also, I would like to say that maybe both sides of the House will agree with me in saying that Fiji is a leader in the region, and a strong voice in the developing world.

HON. GOVT. MEMBERS.- Hear! Hear!

HON. RATU I. KUBUABOLA.- The major leaders of all these countries acknowledge the fact that Fiji is a pre-eminent island nation, that is also playing an increasing role in the wider global stage.

Fiji has carried out substantive constitutional, legal and political reforms, with the successful and peaceful Elections in September, last year. The global community applauds, commends and accepts these changes in Fiji. The leaders of all these major countries seek stronger engagement with Fiji and the Pacific Islands, and also Fiji plays as a hub in the Pacific.

Such visits, Madam Speaker, diplomatically, economically and culturally beneficial to Fiji. Hosting such leaders further strengthens the bilateral relationships and enables us to showcase Fiji to the world. A number of MOUs and MOAs are signed, and stronger partnerships are forged in areas of defence cooperation, security, climate change, renewable energy, economic cooperation and capacity building.

I thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. Supplementary question, I invite Ratu Isoa to ask his question.

HON. RATU I.D. TIKOCA.- Madam Speaker, the sovereignty of this nation is diminishing by this strange alliances with these countries that are not familiar with our status here, and also just a few days ago, you were talking about being the hub of the Pacific. Let me tell you that the hub of the Pacific is threatened by your alliances that you are creating.

HON. GOVERNMENT MEMBERS: Question??

HON. RATU I.D. TIKOCA- Have you seen the security analysis of United States about our shores?

HON. A. SAYED-KHAIYUM. – Point of Order. Madam Speaker, the Honourable Member is giving a lecture. Ask the question? He is also, Madam Speaker, out of order because he is making claims without backing them with facts, and that should be the premise of any question or any assertion by any Member in this House. Thank you Madam Speaker.

MADAM SPEAKER.-I will ask the Honourable Member to ask your question, please.

HON. RATU. I.D. TIKOCA. – The question is: how can you assure this House and the nation, this nation, that our country is safe from these people taking too much of interest of our nation, and also affecting the whole region and their influence over us. That is why I am saying the sovereignty is diminishing because of these actions.

MADAM SPEAKER. – Thank you, I give the floor to the Honourable Minister.

HON. RATU. I. KUBUABOLA.- Madam Speaker, that is a good question from the Honourable Opposition Whip. The sovereignty of the nation, I can assure you, Madam Speaker, is not being affected by these new relations that we have developed in the last four years, I can assure you that. Because you know, in a foreign policy, Madam Speaker, our policy is very basic, it is "friends to all and enemies to none". We are friends to everyone. I am surprised that the Opposition Whip is bringing up this sovereignty and sovereignty, Madam Speaker, for example, we respect the sovereignty of Indonesia and we believe that West Papua is part of Indonesia and that sovereignty, Madam Speaker, is something that we believe in and we protect the sovereignty of Fiji. Thank you Madam Speaker.

MADAM SPEAKER, - Thank you. Supplementary question, the Honourable Viliame Gavoka.

HON. V.R. GAVOKA. – Madam Speaker, yes we have the potential to be the hub of the Pacific, but please do it the Pacific way. Let us not pick fights with our neighbours like FijiFirst appears to do always. Of course, Madam Speaker, we are getting interests from a lot of countries, Madam Speaker, the question is, what about Israel? Sixty per cent of us in this country are very close to Israel the Holy Land, in ways we all know. We are opening embassies all over the world, why do we not open one in Israel also, Madam Speaker?

HON. RATU I. KUBUABOLA. – We are sorry to inform the Honourable Member that we have no intention or plan to open an Embassy in Israel. Thank you Madam Speaker.

MADAM SPEAKER.– And the third and last supplementary question, the Honourable Ratu Kiniviliame Kiliraki, I will allow you another question.

HON. RATU. K. KILIRAKI.– Madam Speaker, it is noted that there is no visitation of our traditional countries' leaders to Fiji. I would ask the Honourable Minister if he could explain as to why.

HON. RATU I. KUBUABOLA. – Madam Speaker, if I may just inform the Honourable Member that in my meeting with, if he is referring to Australia and New Zealand, Foreign Minister McCully last Saturday, he was suggesting maybe a visit of Prime Minister John Key later this year.

HON. S.D. KARAVAKI.- ... God made a covenant with Abraham

HON. MEMBERS.- Amen!

HON. S.D. KARAVAKI.- ... and this is a covenant that all your seed, your male seed will be circumcised as a covenant between me, you, and your seed forever.

Madam Speaker, in *Genesis 38*, Judah had two sons, one was Perez and the other one was Zerah. Zerah is the eldest, Madam Speaker.

HON. LT. COL. I.B. SERUIRATU. – Point of Order Madam Speaker,

(Chorus of Interjections)

I wish to refer to Section 44 (3) of the Standing Order, “a question must not be excessive in length.”

(Chorus of interjections)

Let us remind the other side of the House ...

(Laughter)

... to keep their question short and simple. We welcome questions, but keep it short. Thank you Madam Speaker.

MADAM SPEAKER. – Please continue.

HON. S.D. KARAVAKI.- I was saying there are two sons of Judah, Madam Speaker. The youngest son called Perez is this line where Jesus Christ our Lord come from.

Interjection: Amen

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

HON. A. SAYED-KHAIYUM. – Madam Speaker, the Honourable Leader of Government in Parliament has already stated that the Honourable Member is quite welcomed obviously to ask a question, but he is giving us a sermon.

(Chorus of interjections)

Madam Speaker, he needs to have the question put to us and he is in the process of embarrassing some of the Members on his side of the House.

MADAM SPEAKER. – Thank you, point of order taken. Please can you ask the question and begin your sentence with, “The question is ...”

HON. S.D. KARAVAKI. – Madam Speaker, the basis of this question is, it is just the information that I would like to add now.

The elder brother, Madam Speaker....

(Chorus of interjections)

HON. A. SAYED-KHAIYUM. – Point of Order, Madam Speaker, I have good affinity with the Honourable Member but Madam Speaker, the Honourable Member must ask the question. He is not asking the question.

MADAM SPEAKER. – I will have to keep the decorum in the House and must follow the Standing Orders, please ask your question now.

HON. S.D. KARAVAKI. – The question that I would like to ask the Honourable Minister, Madam Speaker, why is it Honourable Minister that you have not had any plan to establish a

permanent relationship with Israel, given the fact that there is a body of information that says that natives are the descendants of Zerah, the eldest of Judah?

(Chorus of interjections)

MADAM SPEAKER. – Thank you. The question is clear. I invite the Honourable Minister.

HON. RATU I. KUBUABOLA. – Madam Speaker, I think the Honourable Member is ignorant of the fact that we do have a formal diplomatic relations with Israel which goes back to 1973 (I stand to be corrected), soon after Independence. So we do have a formal diplomatic relations with Israel and the Non-Resident Ambassador is based in Canberra. He comes to visit us, comes to see me every quarter. So learned and Honourable Member, do not worry we have a good relations with Israel. Thank you.

MADAM SPEAKER. – Thank you. We are having a robust session right now, I will allow two other questions, particularly when the last question, Question No. 6 has been withdrawn. So we will have two more questions, I now invite the Hon. Nawaikula to ask his question.

HON. N. NAWAIKULA. – Madam Speaker this question is very important, it is about our values. These countries, China and Russia, we do not share the same democratic values, accountability and transparency with these countries. Also, we do not share the same human rights values with these countries. These countries have a very bad human rights record. They do not have freedom of the press, how do you reconcile us getting into a relationship with these countries, with that in mind?

MADAM SPEAKER. – Thank you, Honourable Minister.

HON. RATU I. KUBUABOLA. – Madam Speaker, you know there are 193-member states, members of the United Nations. We need to relate with all the member countries of the United Nations, 173 up to today that we have a formal relations with.

It is very important, Madam Speaker, if I may just say in 2011, we formalised diplomatic relations with Qatar. Never been done in pair before. It was Qatar that was responsible for the release of our 45 soldiers in September last year.

(Chorus of interjections)

MADAM SPEAKER.- Order!

HON. RATU I. KUBUABOLA.- Madam Speaker, if I may just say some of these Members are really ignorant. They do not know the facts, there is no condition, no payment of ransom money, et cetera. It was just done by goodwill by the Government of Qatar. That is a real good result of forming diplomatic relations with new foreign countries.

MADAM SPEAKER.- Thank you. I invite the Honourable Salote Radrodro to ask her supplementary question and that would be the last.

HON. S.V. RADRODRO.- Thank you, Madam Speaker, and I thank the Honourable Minister for his response and explanation. My question is, what plans are in place to ensure the establishment of a diplomatic cadre or diplomatic professionals to service the overseas Missions, bearing in mind the complexities of the work involved in the Missions in terms of the diplomacy and international

relations, as opposed to recruiting from within the Civil Service and even from outside the Civil Service?

HON. RATU I. KUBUABOLA.- Madam Speaker, if I may just ask the Honourable Member just to clarify on what she means by diplomatic cadre?

HON. S.V. RADRODRO.- Madam Speaker, the diplomatic cadre means a specific group or core professionals or staff that are specifically trained to be able to service the Missions because you require specific skills in terms of negotiations, international and diplomatic skills in laws, politics and treaties. Those are the skills that officers need to be equipped with to be able to do their work effectively in the foreign Missions.

HON. RATU I. KUBUABOLA.- Madam Speaker, I am sorry, I misheard the Honourable Member, I thought it was diplomatic cover but its diplomatic cadre. We do have training programme for our diplomats and they are posted from within the Ministry and when we do not find anybody suitable, we go outside the Ministry and they come through a training process, training programme through the Ministry of Foreign Affairs, before they are being posted.

MADAM SPEAKER.- Thank you. As I had mentioned earlier the sixth question has been withdrawn and we will move on with the agenda on our Order Paper, Secretary General.

SECRETARY GENERAL.- Written questions.

MADAM SPEAKER.- Thank you. The first written question, I invite the Honourable Mosese Bulitavu to have the floor.

#### Written Questions

##### Foreign Investment Applications Received - 2006 – 2015 (Question No. 121/2015)

HON. M. BULITAVU asked the Government, upon notice:

Would the Minister for Industry, Trade and Tourism provide the total number of foreign investment applications received by Investment Fiji from the year 2006 – 2015 and of these applications:

- a) Indicate how many were approved/issued foreign investment certificates; and
- b) Indicate how many are still operational in 2015?

HON. F.S. KOYA (Minister for Industry, Trade and Tourism).- Madam Speaker, I thank the Honourable Member for the question raised. As this is a statistical question, I will provide and table my answer at a later date, as permitted under Standing Order 45(3).

MADAM SPEAKER.- We will move on to the second written question and I invite the Honourable Salote Radrodoro to ask her question.

##### Provision of Government Road Map, Strategic Plan and Annual Corporate Plan 2015 (Question No.122/2015)

HON. S.V. RADRODRO asked the Government upon notice;

Can the Honourable and learned Attorney-General and Minister for Finance, Public Service and Communications provide the following as per earlier requested in Parliament in 2014:

- a) Government Road Map (National Development Plan); and
- b) Strategic Plan and Annual Corporate Plans 2015 for all Ministries, Departments and all Agencies as listed under the 2015 Budget Estimates?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Finance, Public Enterprises, Public Service and Communications).- Madam Speaker, I thank the Honourable Member for this question. Madam Speaker, I will table my answer at a later stage as permissible under Standing Order 45 (3).

MADAM SPEAKER.- Honourable Members, the Question time is now over and I thank you all for your contributions and discussions today. I request all the Whips to meet with the Secretariat straight after this, in the Small Committee Room.

The Parliament is now adjourned to 9.30 a.m. tomorrow.

The Parliament adjourned at 10.50 a.m.