

**WEDNESDAY, 26<sup>TH</sup> AUGUST, 2015**

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

MADAM SPEAKER took the Chair and read the Prayer.

**PRESENT**

All honourable Members were present, except the Honourable Assistant Minister for Youth and Sports, the Honourable B. Singh, the Honourable Ratu N.T. Lalabalavu, the Honourable N. Nawaikula, the Honourable A.M. Radrodoro and the honourable M. Bulitavu.

**MINUTES**

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

That the Minutes of the sitting of Parliament held on Tuesday, 25th August, 2015 as previously circulated, be taken as read and be confirmed.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

**COMMUNICATIONS FROM THE CHAIR**

Acknowledgment of Visitors

MADAM SPEAKER.- I welcome all honourable Members to another sitting day. I also warmly welcome members of the public joining us in the gallery, and those watching proceedings on television, internet and listening to the radio.

Thank you for taking interest in your Parliament.

Prorogation of Parliament

For the information of all the honourable Members of Parliament, as you would have noted from the Sitting Calendar endorsed by Parliament, Parliament will be prorogued from 7<sup>th</sup> September, 2015.

By convention, this is not a sitting day and the Speaker would write to the President His Excellency the President, to advise His Excellency that the House would stand prorogued from 7<sup>th</sup> September, 2015 until the Official Opening on Monday, 14<sup>th</sup> September, 2015.

Therefore, honourable Members, when the House adjourns this Friday, we are effectively adjourning, for the final time, this annual Session and will convene again for the State Opening of Parliament on Monday, 14<sup>th</sup> September, 2015.

**PAPERS LAID ON THE TABLE**

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Madam Speaker, in accordance with Standing Order 38, I present the *iTaukei* Trust Fund Board - Annual Report, 2014 (*Parliamentary Paper No. 28 of 2015*) to Parliament.

MADAM SPEAKER.- Under Standing Orders 38(2), I refer the Ministry of *iTaukei* Trust Fund Board - Annual Report, 2014 (*Parliamentary Paper No. 28 of 2015*) to the Standing Committee on Social Affairs.

*(Parliamentary Paper No. 28/2015 presented to the Secretary-General)*

HON. A. SAYED-KHAIYUM.- Madam Speaker, in accordance with Standing Order 38, I present the Reserve Bank of Fiji – 2014 Insurance Annual Report (*Parliamentary Paper No. 8 of 2015*) to Parliament.

MADAM SPEAKER.- Under Standing Order 38(2), I refer the Reserve Bank of Fiji – 2015 Insurance Annual Report (*Parliamentary Paper No. 8 of 2015*) to the Standing Committee on Economic Affairs.

*(Parliamentary Paper No. 8/2015 presented to the Secretary-General)*

## **PRESENTATION OF REPORTS**

### Report on the Petition of Nadroga Navosa Provincial High School

HON. V. PILLAY.- The Honourable Prime Minister, the Honourable Leader of the Opposition and Honourable Members of Parliament, I rise this morning to table the first report of the Standing Committee on Social Affairs to Parliament on the petition of the Nadroga Navosa Provincial High School.

Madam Speaker, if I may, before I table this Report, I would like to thank my fellow Committee Members:

1. Honourable S.V. Radrodro, the Deputy Chairperson;
2. Honourable V. Bhatnagar;
3. Honourable V. Nath; and
4. Honourable A.T. Vadei.

I also wish to acknowledge the valuable contributions of the Alternate Members, who sat during the Standing Committee meetings on the compilation of this Report. The following Alternate Members arose pursuant to Standing Order 115:

1. Honourable M.R. Leawere;
2. Honourable A. Nabulivou; and
3. Honourable A.A. Maharaj.

Not forgetting the Committee's secretariat for their efficient servicing of the Committee and that is both acknowledged and appreciated.

Madam Speaker, on behalf of the honourable Members of the Committee, I would like to express my sincere thanks and appreciation to all those organisations, groups, individuals and respective Government agencies that made a submission and/or attended oral presentations during our public consultations in Suva and in the Nadroga/Navosa areas.

The strength and depth of the Committee's inquiry rests with the voluntary commitment and the time of groups and individuals making submissions and appearing at public hearings. This was evident in the high quality of submissions received and with presenters at the public hearings, who candidly provided the opinions and advice to the Committee.

Madam Speaker, further to the above, I would like to extend my sincere appreciation and thank all those who were involved in the public consultations in the Nadroga/Navosa Province, to name a few:

1. Mr. Viliame Burenivalu, Roko Tui Nadroga/Navosa Provincial Council;
2. Mr. Iliesa Delasau, Assistant Roko Tui Nadroga/Navosa;
3. Mrs. Sera Saladua, Senior Education Office, Sigatoka;
4. Mr. Vishnu Sharma, Education Officer, Sigatoka;
5. Mr. Kiniviliame Naciqa, Principal, Navosa Central College;
6. Mr. Jeremaia Tuwai, Principal, Sigatoka Valley High School;
7. Mr. Naveneet D. Mishra, Principal, Cuvu College;
8. Mr. Napolioni Locoloco, Teacher, Cuvu College;
9. Mr. Solomon Koroitamana, Principal, Nadroga Navosa High School;
10. Mr. Apenisa Kurisaqila, Principal, Nadroga Arya College; and
11. Mr. Nizam Ali, Principal, Lomawai Secondary School.

Madam Speaker, the Report examines oral presentations by the Ministry of Education and the Committee's public hearings and submissions in the Nadroga/Navosa Province.

Madam Speaker, the Committee held its first meeting on 14<sup>th</sup> July, 2015, and unanimously agreed on a work plan to conduct interviews and receive submissions from stakeholders in Suva and in Nadroga/Navosa Province. At the same time in response to a call for submissions, the Committee held a series of meetings from 15<sup>th</sup> July, 2015 to 14<sup>th</sup> August, 2015 to receive submissions and oral presentations which were conducted through rounds of consultations with the Ministry of Education in the Nadroga/Navosa Province.

Madam Speaker, in undertaking the consultations, it was found that majority of the submittees who provided submissions, fully supported the idea of a technical college but only few objected to the transformation of Nadroga Navosa Provincial High School to be a technical college.

Madam Speaker, after analysing the submissions, the Committee Members agreed unanimously and made two Recommendations which are as follows:

#### Recommendation 1

The Technical College to move forward with its approval process, since majority of the Petitioners and the Nadroga/Navosa public had changed their views and minds positively to support the proposed conversion of the Nadroga/Navosa Provincial High School to be a technical college. The whole 30 submissions received, fully supported the idea of a technical college in Nadroga/Navosa, including Honourable Gavoka, but three objected to the transformation of this School to be a technical college.

#### Recommendation 2

The Ministry of Education to conduct extensive public awareness around Nadroga and Navosa Province on what the proposed technical college will offer with regards to entry criteria, courses and duration of courses, costs, industrial attachments, career path, transportation issues and college facilities.

Madam Speaker, at this juncture, I hereby table the Committee's Report on the Petition to transfer Nadroga/Navosa Provincial High School into a technical college.

*(Select Committee on Social Affairs' Report handed to the Secretary General)*

MADAM SPEAKER.- Honourable Pillay, you have the floor.

HON. V. PILLAY.- Madam Speaker, pursuant to Standing Order 121, I hereby move a Motion:

That a debate on the contents of the Report is initiated at a future sitting.

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

HON. V.R. GAVOKA.- Can I express some issues on this Report, Madam Speaker?

MADAM SPEAKER.- You may do that at a later sitting when we will bring it back for a debate on the contents of the Report.

HON. V.R. GAVOKA.- Thank you, Madam Speaker.

Question put.

Motion agreed to.

MADAM SPEAKER.- I now give the floor to the Honourable Ashneel Sudhakar.

#### Report on the National Flag Protection Bill, 2015

HON. A. SUDHAKAR.- Madam Speaker, I have the privilege this morning as the Chairman of the Standing Committee on Justice and Human Rights to present two Reports and those are the Report on the National Flag Protection Bill 2015 (Bill No. 4 of 2015) and the Report on the Coat of Arms Bill 2015, (Bill No. 5 of 2015)

Madam Speaker, I will deal with the Report on the National Flag Protection Bill first as it appears first on the *Order Paper*.

I am pleased to present the Report of the Standing Committee on Justice, Law and Human Rights on the National Flag Protection Bill, 2015.

Madam Speaker, please allow me to give a brief history of the report and how it was achieved, what the report intends and what the Bill intends to achieve.

Madam Speaker, Fiji was ceded to Britain on 10<sup>th</sup> October 1874. On 10<sup>th</sup> October, 1970 Fiji attained independence, ending 96 years of British Colonial rule. Fiji eventually became a Republic in 1987. Since that time, the Fijian flag has not changed and continues to carry symbols of our colonial past.

After independence, Fiji adopted the current national flag which has features, including bright blue background symbolising the Pacific Ocean; the Union Jack, reflecting the country's links with the United Kingdom; and the shield derived from the country's official Coat of Arms, which was originally granted by a Royal Warrant in 1908. It is a white shield with a red cross and a red chief (upper third of a shield). The images depicted on the shield represent agricultural activities on the islands, and the historical associations with the United Kingdom. At the top of the shield, a British lion holds a cocoa pod between its paws. The upper left is sugarcane, the upper right is a coconut palm, the lower left a dove of peace and the lower right a bunch of bananas.

The present design of the Union Jack itself dates from a Royal Proclamation, following the union of Great Britain and Ireland in 1801. The flag combines aspects of three older national flags: the red cross

of St George of the Kingdom of England, the white diagonal cross of St Andrew for Scotland (which two were united in the first Union Flag ), and the red diagonal cross of St Patrick represents Ireland.

These symbols, Madam Speaker, are predominantly featured on the Fijian Flag and do not represent Fiji's status as a truly independent and sovereign nation and at the same time allude to Fiji being a colony or dependency.

After 45 years, it is time to move beyond our colonial connections and adapt a flag that reflects our nation aspirations in the 21<sup>st</sup> century, a new national flag that will represent our nation and resonate with Fijians of our present and future.

There were no laws previously enacted in Fiji on the protection of the national flag or provided any mechanism to change the flag. Therefore, it became necessary to introduce laws to adopt a new national flag and to protect and regulate the use of that flag.

The Bill, after it was presented in Parliament, was referred to the Standing Committee on Justice, Law and Human Rights for scrutiny. The Committee went through a thorough process of scrutinising the Bill. The process involved hearing oral submissions and reading written submissions. The Committee then went through legislative scrutiny which involved line by line reading of the Bill, where clarification was needed, the Committee consulted with the drafters and sought advice and necessary amendments were made.

In its current form, the Bill has some notable features such as section 6, which provides for rights and responsibilities of displaying the flag; section 8 which makes desecration of the flag an offence; section 14, which provides the mechanism for any further changes to the flag, once declared; and Section 16 which provides for penalties for offences under the Bill, particularly for desecration and misuse of the flag.

The penalties are in line with the accepted principles in other jurisdictions, including Australia, New Zealand, USA, Kiribati, France, Germany, Hong Kong and China.

This report provides a summary of examinations of submissions and oral evidence heard at the Committee's public hearings in Parliament, most of which are in favour of putting together a law to protect our new national flag.

The report is divided into five chapters and it appears in the report body proper.

The Parliamentary Committee, under the 2014 Constitution and Standing Orders, aims to enhance transparency of and accountability by public agencies and officials.

The Committee held its first meeting on 28<sup>th</sup> May 2015 and in response to a call for submissions held a series of public hearings from 1<sup>st</sup> to 5<sup>th</sup> June 2015 and 15<sup>th</sup> to 20<sup>th</sup> June respectively. Due to the short time-frame given to the Committee to report back to Parliament, submissions made by the Committee were based on the following questions:

- a) Are the clauses sufficient or should there be amendments to the clauses in the Bill;
- b) The impact of the Bill on the national as a whole; and
- c) Any other views specific to the contents of the Bill?

The Committee is grateful that the Parliament on the last occasion granted us time to present the report today.

On behalf of the honourable Members of the Committee, I would like to express my sincere thanks and appreciation to all those organisations and individuals who made a submission and attended public hearings. The strength and depth of the Committee's inquiry rests with the voluntary commitment and time of groups and individuals appearing to make submissions. This was evident in the high quality submissions received and with presenters at the public hearings, who candidly provided their opinions and advice to the Committee.

I wish to extend my heartfelt thanks to the honourable Members involved with the production of this bipartisan report: my Committee colleagues, Honourable Semesa Karavaki, Deputy Chairman, Honourable Lorna Eden and Honourable Niko Nawaikula. I also thank the Honourable Alvick Maharaj, Honourable Brij Lal, Honourable Balmindar Singh, Honourable Anare Vadei, Honourable Alexander O' Connor and Honourable Mikaele Leawere for their contributions and for availing themselves as alternate members for those members who were unable to attend the Committee meetings on notice. Lastly, I thank the secretariat for assistance provided during the Committee's deliberations.

Madam Speaker, this is a historic piece of legislation and will have profound impact on us Fijians as a nation and its people. I hope the Bill receives the support of the full House.

With that, Madam Speaker, I commend this Report to Parliament.

*(Standing Committee on Justice Law and Human Rights Report handed to the Secretary-General)*

#### Report on the Coat of Arms Bill, 2015

HON. A. SUDHAKAR.- Madam Speaker, I now have the privilege of presenting the second Report to this Parliament, and that is the Report on the Coat of Arms Bill 2015.

Madam Speaker, I am pleased to present the report of the Standing Committee on Justice, Law and Human Rights on the Bill for an Act to Declare the Coat of Arms of the Republic of Fiji and to make provisions for its use (Bill No. 5 of 2015).

The Coat of Arms Madam Speaker, of Fiji is a heraldic device consisting of a shield divided quarterly by Cross of St George and charged with a golden lion at the top, supported by two Fijian warriors, one on each side, and topped with a canoe at the crest. It was adopted in 1908 by a Royal Warrant and it has been the Coat of Arms for Fiji since that year, having been retained even after independence in 1970. A modified version of the Coat of Arms is featured on the Fiji Flag as well.

The colours and objects on the Coat of Arms carry cultural, political and regional meanings. The Cross of St George which divides the shield quarterly and the golden lion at the top represent the United Kingdom, the former colonial power that ruled over Fiji. The cocoa pod held in the lion's paw, along with the sugarcane, coconut palm and bananas occupying three of the four quadrants, represent the country's natural resources, since these are key agricultural crops in Fiji. The bottom left quadrant contains a dove that symbolizes peace.

Depicted prominently on the Coat of Arms are the Cross of St George and a golden lion which represent the United Kingdom, our former colonial ruler, and reflect the country's links with the United Kingdom. These symbols of the Coat of Arms allude to Fiji being a colony or dependency and do not represent Fiji's status as a truly independent and sovereign nation.

Therefore, the Coat of Arms is a symbol that is tied to our colonial past. It is time to move on from these symbols of our past to new symbols that are truly Fijian, represent our nation and will resonate with Fijians in present and future.

Previously, the Coat of Arms was regulated by the Coat of Arms of Fiji (Restriction of Use Act) (Cap 245) the laws of Fiji which the Bill seeks to repeal. Therefore, it became necessary to introduce new laws to govern the Coat of Arms and to protect and regulate it.

The Bill, after it was presented in Parliament, was referred to the Standing Committee on Justice, Law and Human Rights for scrutiny. The Committee went through a thorough process of scrutinising the Bill, the process involved hearing oral submissions and reading line by line of the Bill. The Committee then went through legislative scrutiny, which involved reading the Bill, and where clarification was needed, the Committee consulted the drafters and sought advice and necessary amendments were made.

In its current form, the Bill has some notable features, just like the previous Bill and those are at:

- Section 9, which makes the desecration of the Coat of Arms an offence;
- Section 10, which provides the mechanism for any further changes to the Coat of Arms once declared; and
- Section 11, which provides for penalties and offences under the Bill, particularly for desecration or misuse of Coat of Arms.

The penalties are in line with the accepted principles in other jurisdictions, including Australia, New Zealand, USA, Kiribati, France, Germany, Hong Kong and China. It should be noted that the penalties for the desecration of Coat of Arms are a bit severe as compared to the desecration of the flag, the civic Coat of Arms is a special national symbol.

This report provides a summary of examination of oral submissions at the Committee's public hearings. In most, which were called for review and amendment of Coat of Arms, the report is divided into three chapters as they appear in the report. The Committee held its first meeting on 28th May, 2015 in response to a call for submissions, held a series of meetings from 1st to 5th June and received submissions and oral submissions on whether or not to recommend to the Government of Fiji to review the Coat of Arms and whether the Act to be amended. The Committee is grateful that the Parliament, in this instance as well, allowed us further time to present our report.

On behalf of the honourable Members of the Committee, I would like to express my sincere thanks and appreciation to all those organisations and individuals who made their submissions and attended public hearings. Their strength and depth of the Committee's inquiry rests with their voluntary commitment and time of groups and individuals making submissions and appearing at public hearing. This was evident in the high quality submissions received and with the presenters at the public hearing who candidly provided their opinions and advice to the Committee.

I wish to extend my heartfelt thanks to the honourable Members involved with the production of this bi-partisan report: my Committee colleagues - Hon. S.D. Karavaki (Deputy Chairperson), Hon. Lorna Eden and Hon. Niko Nawaikula. I also thank Hon. Alvick A. Maharaj, Hon. Dr. B. Lal, Hon. B. Singh, Hon. A. Vadei, Hon. A. O'Connor and Hon. M. Leawere for their contributions and for availing themselves as alternate members for those members who were unable to attend the Committee sittings.

Lastly, I thank the Secretariat for the assistance provided during the Committee's deliberations. This is a historic piece of legislation and will have profound impact on us Fijians as a nation and of the people. I hope the Bill receives the support of the full House and I commend this Report to the Parliament.

*(Standing Committee on Justice Law and Human Right's Report handed to the Secretary-General)*

MADAM SPEAKER.- The Bill is now set down for consideration by the Committee of the whole Parliament.



**QUESTIONS AND REPLIES**

MADAM SPEAKER.- I have accepted an Urgent Oral Question under Standing Order 43 and as a result, Question No. 186/2015, will be dropped from today's *Order Paper*.

We will move on to the second Oral Question, as we await the honourable Ratu Tikoca's presence and then we will go back to his question.

Oral Questions

Defensive Driving Course  
(Question No. 185/2015)

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

Would the honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport answer the following:

- a) What is the levy by the Land Transport Authority for the compulsory Defence Driving Course undertaken by public service drivers; and
- b) Under what section of the LTA Act or LTA Regulations has the LTA prescribed 90 per cent as the minimum pass mark for PSV drivers undertaking the Defensive Driving Course?

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

- a) The levy for the public service drivers is \$76.50;
- b) The 90 per cent pass mark was a policy decision by the management of LTA and this came out of section 61(6), "No person shall from the date of commencement of this part be granted a public service vehicle driver's licence unless that person has attended and participated in a formal course and programme of instruction in Defensive Driving and Road Safety approved by the Authority."

Madam Speaker, yesterday I mentioned in this honourable House that LTA is under review. There are a lot of Regulations and Acts and I can assure this House, I know there is a lot of concerns, this is also under review – the 90 per cent passing mark. I have received submissions from the Taxi Association, other stakeholders and I had directed the Board last fortnight when we first met that this needs to be reviewed.

HON. S.D. KARAVAKI.- A supplementary question. Madam Speaker, I thank the honourable Minister for his answer. Perhaps the honourable Minister could explain whether or how is the LTA assessing the conduct of the Public Service Vehicle drivers in reflection of the effect of the Defence Driving Course being undertaken by the LTA? Can he explain how that has impacted the conduct of the Public Service Vehicle drivers?

HON. P.B. KUMAR.- Madam Speaker, I just want to give some statistics. First, how many PSV drivers sat for the Compulsory Defensive Driving Course? The total number was 23,884 and out of that, only 66 failed.

Madam Speaker, the PSV Defensive Driving is essentially driving in a manner that utilise safe driving to enable motorists to address and identify hazard in a reasonable manner. This will go beyond instruction on basic traffic laws and procedures. Through this course, participants learn to improve their driving skills by reducing their driving and anticipating situations and making safe, well and informed decisions. Such decisions are implemented based on the road and environmental conditions present when completing a safe driving manoeuvre. Thus, the PSV DDC encourages participants to be more aware of their obligations on the road for the safety of themselves and other road users.

HON. RATU S.V. NANOVO.- Supplementary question, Madam Speaker. I thank the honourable Minister for his response, but my question is based on the 90 per cent pass mark. If that is the case, then surely there should be minimum road accidents throughout Fiji. Is there any plan with LTA rather than reviewing the pass mark, can they also review the syllables included in the Defensive Driving Course?

HON. P.B.KUMAR.- Madam Speaker, I also thank the honourable Member. This is also being reviewed and now, we are going to simplify the booklet that they have for level one and level two and also, the safety measures. I fully agree, there were mixed suggestions on whether we should review that 90 per cent to either increase or decrease so even though you are going to decrease, what the honourable Member has said is happening. So, this is one of the very important issues that we are looking at in terms of safety.

HON. P. SINGH.- Madam Speaker, may I thank the honourable Minister for his response.

MADAM SPEAKER.- I apologise, is it a supplementary question?

HON. P. SINGH.- Yes, it is a supplementary question, Madam Speaker.

MADAM SPEAKER.- Thank you, you may continue.

HON. P. SINGH.- The honourable Minister has alluded that there will be a committee to look at the holistic approach of reviewing the LTA Act. I believe, with the 90 per cent pass rate, people who fail go back to test, et cetera, so is it part of terms and reference of the Committee that has been appointed?

HON. P. KUMAR.- Madam Speaker, as the Minister responsible for LTA, I can always direct the LTA Board and the Review Committee to look into that, and that is what I have done.

MADAM SPEAKER.- I will now give the floor to the honourable Ratu Sela Nanovo.

Fiji Airways Annual Reports  
(Question No. 187/2015)

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

Can the honourable Attorney General, Minister for Finance, Public Enterprises, Public Service and Communications inform the House the reasons why Fiji Airways has not released its company Annual Report since 2009; and advise if Fiji Airways will be releasing its Annual Report for the year ended 2013?

HON. A. SAYED-KHAIYUM (Minister for Finance, Public Enterprises, Public Service and Communications) - Madam Speaker, I thank the honourable Member for his question. Madam Speaker, I can confirm that Air Pacific Limited trading as Fiji Airways has, in fact, released its Annual Reports for the year 2009 to 2013 to all the shareholders at the Fiji Airways Annual General Meeting.

HON. A.T. VADEI.- A supplementary question, Madam Speaker; during those years, Fiji Airways had been getting the financial support and assistance from Government, so why was there delay in the submission of the Annual Reports? Was there something wrong with their consultants or something wrong with the book keeping?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the honourable Member obviously did not hear what I just said. I said that the Annual Reports have been released to the shareholders of Air Pacific Limited trading as Fiji Airways. It is up to date, the 2014 one is just about to be finalised, including in that, Madam Speaker, is the certified accounts, the Directors' Report, the Independent Auditors Report and certified copies of Financial Statements of Air Pacific Limited.

Madam Speaker, I do not know what financial assistance the honourable Member is talking about. There was one allocation made of about \$1.8 million in the two Budgets ago, Madam Speaker, and in fact, it was not utilised.

The operations of Fiji Airways, Madam Speaker, is, in fact, fully funded by the Company. Government does not give it a grant like PAFCO, Government has not lent it any money, like PAFCO, or some other State Owned Enterprises (SOEs). The honourable Member has got his facts and figures completely wrong.

MADAM SPEAKER- Supplementary question, Honourable Ratu Nanovo.

HON. RATU. S.V. NANOVO.- A supplementary question, Madam Speaker, I think it is the responsibility of all partly funded Government companies to submit their Annual Reports straight after the end of every year. Was that being done or was that just completed after a period of time for all those years?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I think the two honourable Members sitting next to each other do not simply understand what I have said, it is not partly funded by Government. If they can show me evidence as to how it is partly funded by Government, we will be happy to oblige. Please, I urge you to go to the Registrar of Companies and you will find all the documentation you need. Do a search. You need to understand the business model and you need to know how the business is run before you ask me those questions. Those are misplaced questions.

HON. V.R. GAVOKA.- Madam Speaker, a supplementary question; for the edification of the House, can we be advised on what the position is? When the Government of Fiji owns shares in a company, do we get any benefit or get reports, Madam Speaker? Can we, at least, get some clarification on these because we are a bit confused on this side? We believe that if the Fiji people (taxpayers) own part of a company, they have the rights to see how the company is trading.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the honourable Member from the other side thinks the only time we can see things, if it is tabled here. Everyone has access to the Registrar of Companies, everyone has access to the Ministry of Finance. If they want any information, they can write to Ministry of Finance pertaining any information that the Ministry of Finance holds as a shareholder pertaining to any SOE or any enterprise in which the Government has a shareholding in. They can get that access, Madam Speaker, but they do not bother to find out from us.

In fact, Madam Speaker, a lot of the questions that are being tabled in this Chamber could have been very easily ascertained. Again, I want to reiterate that Honourable Prem Singh and Honourable Biman Prasad came and asked about various issues, they do not raise in this august Chamber, and that was easily resolved and addressed. Similarly, a lot of information have been requested we can get them to you.

Similarly, when members of the public ask them questions, they can simply ask us and we can give the response to them. If there are issues, please tell the honourable Ministers, they are available and willing to help, that is the collaborative approach.

HON. ROKO. T.V. KEPA.- Madam Speaker, a supplementary question; I think the honourable Attorney-General is well aware that one of the difficulties we have from this side of the House is that, when we request information from Government Ministries and statutory bodies, it is very difficult for us to get those information. This is why we bring these questions to the House because the people who are working in those Ministries and organisations are very reluctant to provide us with those information. He is very well aware of that fact, Madam Speaker.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the reality is that, if you have a Ministry (now we are moving away from Fiji Airways and talking about Ministries), there are Ministers responsible for Ministries. As Members of Parliament, you can write directly to the Ministers. As Members of Parliament, the Ministers are here and present in Parliament, talk to them, ask them, they will facilitate. I have done so. I have had issues that the Honourable Karavaki had raised directly with me and we resolved that issue. What is the problem with other honourable Members, why can't they raise it? They can talk directly to the Ministers. As I have said in this particular instance, if they had gone and did their search in the Companies Office, they would have got it. If they wrote to the Minister of Finance, saying; "We want to know where the Annual Report of Air Pacific Limited trading as Fiji Airways is", we would have given it to them. No problem, write to the Ministers.

HON. V.R. GAVOKA.- Madam Speaker, the honourable Minister needs to understand this because we had tried.

MADAM SPEAKER.- Is it a point of clarification to your previous question?

HON. V.R. GAVOKA.- Yes, Madam Speaker, it is a very critical one for us. We have tried to visit some of these Government enterprises and we were told in writing that we cannot because they just do not see anyone from the streets. We put it in writing. These people are so busy, they cannot just see anyone who walks on the street. We are parliamentarians, we are representatives for the people of Fiji, Madam Speaker. Things are not very clear on what the powers are for us and we represent people here, the taxpayers.

HON. A. SAYED-KHAIYUM.- Madam Speaker, that is why I have said that they need to talk to the Ministers responsible. If they want information, they go and talk to the Minister responsible and the Ministers would facilitate where appropriate. You cannot just simply walk off the street and go into the Ministry of Finance and want to see everything that may not necessarily be disclosed to all members of the public.

That is the reality, Madam Speaker. Just because you are in Parliament, does not give you the privilege to go and access everything willy-nilly and from the kind of pedestrian type of questions we have seen in motions, it's like a fishing expedition. Some of the questions also demonstrate that they do not even understand finance and commerce. So obviously, the public servants aren't going to entertain that. This is why we are saying that there should be proper channelling in an efficient manner, please talk to the Ministers responsible and they will facilitate it for you. It is very simple. We are not saying we will not; please talk to the Ministers.

MADAM SPEAKER.- Honourable Members, you cannot ask two supplementary questions. For clarifications, yes, but not two supplementary questions.

## Urgent Oral Question

Assistance by Government - Prolonged Drought  
(Question No. 6/2015)

We will now move back to the urgent oral question and I will now give the floor to the Honourable Tikoca.

HON. RATU I.D. TIKOCA- Thank you and I must apologise and I thank you for accommodating me on raising this urgent question. The urgent question is seeking the assistance of Government, if they could with the recent briefing conducted by the Ministry of Agriculture of the weather problem that will Fiji will encounter. Water is one of the major requirement of humans and in cases we save water and to also assist Government being used every day, can subsidy be given for 1,000 litres water tanks to assist the people of Fiji to buy their own at a reasonable cost. That is the request that we are submitting. This question is directed to the Minister of Agriculture.

MADAM SPEAKER.- I give the floor to the Honourable Minister for Agriculture.

HON. L.T COL. I.B. SERUIRATU.- Madam Speaker, there are two options that people who are affected can refer their needs to and as I had explained yesterday, one is through the Ministry of Infrastructure on the reticulated areas and the other avenue that is available to our people is through the Commissioners, where they have the Divisional Taskforces for non-reticulated areas, including the outer islands.

The assistance that Government is providing at this stage, we are only strategically positioning tanks in areas which are already affected so that people can get the water whenever they are needed. That applies for both non-reticulated areas through the Commissioners, and of course, in the reticulated areas through the Water Authority of Fiji. As I did explain yesterday, the integrated divisional task forces, has all the agencies involved.

Secondly, in response to the question by the honourable Member, I did state yesterday that funding is already available with the Divisional Commissioners but I must state that, that funding is for the purchasing of tanks for the immediate needs. However, in the long term, Madam Speaker, probably that will end up in Parliament soon which will be a matter of policy and at this stage, we are working on a paper on a rainwater harvesting policy. In Fiji, we have an abundance of rainfall but when it comes to prolonged dry spells, unfortunately, we have no water as well. We are experiencing rain during the rainy season but we are not capturing the rainfall and that is why the need for a rainwater harvesting policy.

Madam Speaker, probably to answer the honourable Member's question this morning, the rainwater harvesting policy could be an avenue where Government can consider providing some assistance so that people can also have additional tanks so that they can meet their needs. However, in the meantime, because of resources and because of the urgent needs, Government is only providing tanks and everyone can come to the water point and get their water.

HON. V.R. GAVOKA.- A supplementary question. I thank the honourable Minister for being proactive, as I commented on yesterday, but Madam Speaker, on this emergency, I forgot to mention yesterday that fire can be a major issue with the drought. California today, with the prolonged drought, is fighting fire across the State of California. It is becoming a major issue and coming from the West, I just wish that there could be some preparation for firefighting within the local areas. This could also be the water catchment area to have water for this. I just thought that I would throw that in because firefighting could be a major issue if the drought becomes severe as we expect.

MADAM SPEAKER.- Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, firefighting within the municipal boundaries comes under the Ministry of Infrastructure and Public Utilities, however, we also have volunteer groups within the local communities.

However, in terms of water points, I must again assure our people that within the municipal boundaries, there are specific fire hydrants allocated only for the National Fire Authority. It is not available for the public to use. Those are dedicated fire hydrants for the National Fire Authority. In the rural areas, at this stage, we are mapping water points all over Fiji. We are doing it in the Ministry of Rural Development and I am sure they are doing it as well in the Ministry for Infrastructure and Works, in particular with the Water Authority for two simple reasons.

Madam Speaker, I did mention yesterday that we are bringing in new machines. We can go to any of this water points, regardless of the condition of the water. We can extract water from the source, we can do the purification and deliver it straight to the people. We did this in Ra High School last year. From just a nearby creek, we pumped the water out but that is for drinking purposes. However, the same water sources can also be utilised for firefighting purposes. It is just a matter of sharing the information but we are working towards that, Madam Speaker.

MADAM SPEAKER.- I will also give the floor to the honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport for his input to that response.

HON. P.B. KUMAR.- Madam Speaker, I wish to express the same sentiments expressed by my colleague, the honourable Minister for Agriculture. We discussed this issue this morning before we come to Parliament that as far as the Water Authority is concerned, I have also directed the Water Authority of Fiji to look into all the affected areas where they have piped water system. All I can say is that, the Government machinery is in place and as my colleague has said, if there is any difficulty in the rural maritime areas, they can go and see the Commissioner because they have a Taskforce being set up.

MADAM SPEAKER.- Honourable Members, there being no other supplementary question.

Honourable Members, I wish to advise you all that the fourth oral question by the Hon. Ashneel Sudhakar has been withdrawn. Therefore, we will move on to the fifth oral question for today and I invite the honourable Dr. Brij Lal to take the floor.

Fiji REDD Plus Policy  
(Question No. 189/2015)

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

The question is direction to the Minister for Fisheries and Forest.

In 2010, the Government approved the Fiji Policy for Reducing Emissions from Deforestation and Forest Degradation (Fiji REDD Plus Policy). Can the honourable Minister for Fisheries and Forests enlighten the House on the purpose of this, and what has been achieved so far on its implementation?

HON. O. NAIQAMU (Minister for Fisheries and Forests).- Madam Speaker, I rise to respond to the question asked by the honourable Member Dr Brij Lal.

Madam Speaker, currently, there is a potential for countries with forests to financially benefit, simply by keeping their forests standing under the REDD Plus mechanism, which is globally implemented

under the United Nations Framework Convention on Climate Change. The purpose of the Fiji REDD Plus Policy is to enable Fiji to benefit financially from the REDD Plus mechanism.

Madam Speaker, in 2012, the Forestry Department embarked on a project for the implementation of the activities under the Fiji REDD Plus Policy. The main objective of the project is to ensure that Fiji participates on the REDD Financing Mechanism by the end of 2015.

Madam Speaker, by 2014 the World Bank had approved a grant of US\$3.7 million to fund the Fiji Readiness Activities for four years from 2015 to 2018. The purpose of the fund is to get prepared to participate in carbon trading from 2019 onwards.

HON. M.R. LEAWERE.- A supplementary question, Madam Speaker; I thank the honourable Minister for his response. Can the honourable Minister inform this House as to how his Ministry will work with other Departments in terms of climate change through the REDD Plus Policy?

HON. O. NAIQAMU.- Madam Speaker, as I have already mentioned in my answer, the Ministry has commenced in 2012 working with partners in addressing climate change especially on the REDD Plus issue and we have conducted a number of consultations with our stakeholders, especially the forest owners in Fiji.

HON. S.D. KARAVAKI.- A supplementary question, Madam Speaker; I thank the honourable Minister for his answer. I am a little bit concerned with the objective of the fund, which the honourable Minister has stated, is for Fiji to benefit financially. Could the honourable Minister explain whether that is the only objective, to benefit Fiji financially, or are there other benefits that would be more acceptable to all the people of Fiji?

HON. O. NAIQAMU.- Madam Speaker, the whole purpose of the REDD Plus Policy is to minimise the effects of climate change in our country and the Region.

HON. RATU K. KILIRAKI.- Another Kyoto Protocol, Madam Speaker, in regards to addressing the carbon emission into space which involves two issues regarding the carbon space and the carbon sink. The carbon sink is related to the forest which is the ability or the capacity of the trees to absorb the carbon and release oxygen into the air that we survive on. That is the issue of the REDD Plus. Payment or money that will be derived, as the honourable Minister stated, will benefit the Government. My question is; because most of the forests belong to the indigenous owners, what is the formula or the policy of the Government in regard to the money that comes into the government and can be disbursed to the forest owners that will benefit them? What is the Government policy in regards to carbon emission that will benefit the landowners as forest owners because this forest will be the carbon sink that will absorb all the carbon and release oxygen that we all survive on?

HON. O. NAIQAMU.- Madam Speaker, I would like to thank the honourable Member for his question. I think he has misrepresented the House. I think the REDD Plus Policy under the United Nations Framework, clearly laid out the formula of the money that will be transferred to the resources owners. That is clearly stipulated under the Framework.

HON. RATU S. MATANITOBUA.- Madam Speaker, I would like to thank the honourable Minister for his answer this morning. My question is; what is the Government's position in allocating the ownership of pollution and space?

MADAM SPEAKER.- Thank you. Would you like to repeat the question, please?

HON. RATU S. MATANITOBUA.- What is the position of Government in allocating the ownership of pollution and space in the sky?

MADAM SPEAKER.- Thank you, the honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, I think that question needs to be answer by the Ministry of Environment.

MADAM SPEAKER.- Perhaps we can have a written answer to that question, that will be submitted to the Honourable Ratu Suliano.

We will now move to the sixth Oral Question. I will give the floor to the honourable Ruveni Nadalo to ask his question.

LTA – Complaints on Customer Service  
(Question No. 190/2015)

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

Can the honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport explain to the House what the Land Transport Authority (LTA) is doing in terms of complaints from the general public in regards to customer service?

HON. P.B. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure and Transport).- Madam Speaker, I thank the honourable Member for his question. However, before I respond to the question, I ask all honourable Members to have patience and give me until the end of this year to improve the LTA services. I also invite all honourable Members who are present here, if you have any suggestions on ways and means to improve LTA, please forward them to me.

Madam Speaker, the LTA recently implemented the following plans to address complaints against customer services. The Authority, in the recent past, has expanded its services to take it closer to the customers' doors. These includes opening of offices in Nadi Town, Waimalika near Nadi Airport, Sigatoka Town Office and mostly recently, in Nakasi, to service our people within the Suva-Nausori corridor; and the expansion of the Labasa Town Office. The Authority is also in the process of having its online services system to provide customers with another channel or mode of accessing the LTA services. These include services such as online enquiries, renewal of driving licences, vehicle registration and payment of traffic fines, which are services that are earmarked to go online.

Madam Speaker, the Authority has also established its contact centre to receive and address customer complaints on all aspects of its operation. The Authority has also installed electronic customer queue management system in its four major offices - Valelevu, Lautoka, Waimalika and Sports City to measure and analyse on the customer service and waiting turnaround times, and to take all measures for the improvement in its customer services.

Madam Speaker, CCTV has also been installed in its five major Offices to provide the ability to monitor customers and take action during times of peak customer flow. With the implementation of this monitoring system, the average waiting serving time, Madam Speaker, have decreased from forty six minutes to thirty five minutes. Our target is twenty minutes.

Madam Speaker, we now have a short code – 582, note it down, honourable Members. This is free of charge to customers to register complaints, as well as provide feedback. With the implementation of



this monitoring system, the average waiting serving time, Madam Speaker, have decreased from forty six minutes to thirty five minutes. Our target is twenty minutes.

Madam Speaker, lastly, we have also identified the complaints team in all the districts. This will be the independent people in all the districts to receive complaints and those complaints will be directed to me directly and not to Land Transport Authority (LTA).

HON. S.D. KARAVAKI.- Madam Speaker, a supplementary question. When the LTA first came into existence, it was through the hard work of the current honourable Minister for Foreign Affairs. He was then the Minister responsible for Transport ...

HON. MEMBER.- *Vinaka, vinaka.*

HON. OPPOSITION MEMBER.- Which Government was that?

HON. S.D. KARAVAKI. ... and when it came into effect, it was good because in the Act at that time, it allowed the Land Transport Authority to retain all its revenue. That is why the service was good. They were able to buy facilities, vehicles, et cetera, but it later changed for all the money to be taken to the Ministry of Finance. I would like to ask the honourable Minister whether he is considering that in order to improve their services, to revert to what it was before, to let the revenue remain with the LTA and take whatever they had budgeted for that year and the surplus goes to the Ministry of Finance?

HON. P.B. KUMAR.- Madam Speaker, funding is not an issue for LTA. It is an attitude problem. That is the fact and let us accept it. Funding is not an issue, LTA has got the funds for its operations and functions. There is no issue with funding.

HON. V.R. GAVOKA.- Madam Speaker, a supplementary question. With the recent spate of bus accidents, for example, a bus carrying 40 to 60 people, do we go to check whether these drivers are driving under conditions that can ensure the safety of their passengers? Are they driving more than eight hours? We just talked about aviation today where a pilot would not fly a plane if he was working beyond the normal hours as he would be carrying hundreds of people. How does it work with LTA? I am really worried and concerned about all these spate of accidents that are happening, who is monitoring the drivers, where do you take those issues to, Madam Speaker?

HON. P.B. KUMAR.- Madam Speaker, likewise I am also very concerned with the accidents that have happened in the recent days. We have got spot-checks in place, but in regards to the drivers, they are allowed to drive for 13 hours. I have also asked the Enforcement Department to have regular meetings with the operators and the drivers and go for the test as well. This is very important and I fully agree with the honourable Member on what he has suggested, and we are going to do that.

HON. RO T.V. KEPA.- A supplementary question, Madam Speaker. I thank the honourable Minister for his responses. My question is, we see that more and more people are moving from the urban to rural areas which means that more and more people are requiring public transport and with free bus fares, children who normally would walk to school are now on the buses, so they are filling up the buses which means that the people who are coming to work in Suva, many of them could be late because of this particular issue. So I would just like to ask the honourable Minister whether he is thinking or planning that sometimes in the future he would put on the school buses so that only the children will get on these buses and free-up the space for the people who come in to Suva and many times are late for work because of this particular issue.

HON. P.B. KUMAR.- Yes, Madam Speaker, definitely, this has come up in a few meetings with FRA, LTA and respective municipalities and we are working towards that.

HON. RATU S.V. NANOVO.- A supplementary question, Madam Speaker. I do thank the honourable Minister for Transport for the assurance that he has given us this morning that all complaints relating to LTA may be finalised before the end of this year. My question is, can that also include solving the outstanding compensation payment that is due to the passengers of the Raiwaqa bus who were mostly school children and the teacher who was involved in a crash at Kubukawa Road in Kalabu 15 months ago? Can you confirm that to the House, honourable Minister?

HON. P.B. KUMAR.- Madam Speaker, I can submit that information at a later date.

MADAM SPEAKER.- The answer will be submitted at a later date.

MADAM SPEAKER.- Honourable Members, there being no other supplementary questions, we have some time and I think you have some reading to do as well. Therefore, we will take a break for morning tea and resume at 11.30 a.m.

The Parliament adjourned at 10.42 a.m.

The Parliament resumed at 11.30 a.m.

MADAM SPEAKER.- The honourable Minister for Defence, National Security and Immigration has informed me that he wishes to make a Ministerial Statement under Standing Order 40. I now call upon the honourable Minister to make his statement.

## STATEMENTS BY MINISTERS

### Peacekeeping Operations

HON. CAPT. T.L. NATUVA.- Madam Speaker, honourable Prime Minister, the honourable Leader of the Opposition, honourable Leader of the National Federation Party, Members of Parliament, I will be speaking on Fiji's Peacekeeping Operations.

Madam Speaker, the Government of Fiji has been sending our troops on Peacekeeping missions since 1978. Currently we have a total of 1,031 Republic of Fiji Military Forces (RFMF) and the Police Force personnel serving on United Nations (UN) and Multi-National Force and Observer Deployed Missions overseas.

Currently we have 146 RFMF personnel deployed with the United Nations Interim Forces in Lebanon (UNIFIL), 2 RFMF Officers serving with the United Nations Truce Supervision Organisation (UNTSO) in Israel, 365 RFMF Personnel deployed with the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights, 335 RFMF personnel deployed with the Multi-National Force and Observer (MFO) in Sinai, 6 RFMF and 9 Fiji Police Force Personnel with the United Nations Mission in the Republic of South Sudan (UNMISS), and 168 RFMF personnel deployed with the United Nations Assistance Mission in Iraq (UNAMI).

Madam Speaker, to alleviate confusion, it is important to explain the two separate banners of Peacekeeping that Fiji currently serves under. One is under the UN umbrella with their respective mandates and the other under the Multi-National Force and Observers (MFO) with its own mandate. The UN Missions are guided by the respective mandates issued by UN HQ and funded by the United Nations.

Madam Speaker, the MFO on the other hand is an observer/monitoring Mission on the Camp David Accord signed peace treaty between Egypt and Israel and is dominantly funded by Israel, Egypt and the United States. Contributing funds also to the MFO but at a lower scale are donor countries like Australia, Finland, Germany, Japan, Netherlands, Norway, the Republic of Korea, Sweden, Switzerland and the United Kingdom.

Madam Speaker, with the MFO focused on only one Mission as opposed to the United Nation having 16 PKO Missions, it is therefore explainable how the concentration of budgetary allocation contrasts heavily. Funding requirements for the MFO is acted upon practically rather than the UN that reverts to the UN HQ for further dialogue resulting in delayed responses. The evidence of such sleekness in the MFO is the urgent adherence and provision to welfare of the troops serving and easy access to financial backing. Soldiers in the field can now keep watch in a fortified watchtower that provides heat and air-condition during the relevant seasons, and with Wifi provisions to enable contact with their loved ones every day. Such conditions are also experienced by the UN Missions but at lengthy rate. The MFO also has the US West Command Fleet in support based in the Arabian Gulf.

Madam Speaker, while many view the participation of Fiji mainly along the line of the service of peace, Fiji's participation in Peacekeeping has also contributed significantly in areas of nation

building including other strategic benefits and to the respective welfare of families and the nation as a whole.

Madam Speaker, please allow me to expand more on some significant strategic benefits of Fiji's Peacekeeping deployments:

Fiji is viewed as a Peacekeeping superpower. Our participation in Peacekeeping Operations has lifted our global profile, resulting in invitations to chair/participate in various UN and international programmes and events. For example, G77 plus China, and also Fiji's year Presidency of the UNDP that was recently handed over in January 2015.

Also significant contribution has augmented Fiji's voice within the Pacific Region earning the respect of our Pacific Island neighbours especially when requiring the support of Fiji in various international forums. Fiji is relied upon to advocate certain issues on behalf of fellow Pacific Islands Nations and because of Fiji's profile in global peace efforts, these undertakings are influential.

Madam Speaker, our relationship with the 193 UN member countries continues to grow including our Formal Diplomatic Relations with non-UN member countries and the Non-Aligned Movement members.

Madam Speaker, the world is changing and UN and non-UN peace operations must change with it, if they are to remain an indispensable and effective tool in promoting international peace and security. Peacekeepers are expected to manage and adapt to different multicultural settings that they will encounter in their interactions with host communities, with peacekeepers from other nationalities, and in relation to the occupational and institutional differences within their own mission.

Thus, the need to deploy peacekeepers that are capable of working and communicating effectively within a dynamic multicultural environment are both important and critical. Fiji Peacekeeping are renowned for our adaptation and sensitivity to such diversities. Such a value towards Fiji's participation has given political leverage at the global, international and regional level.

Madam Speaker, Peacekeeping soldiers are paid by their own Governments according to their own national rank and salary scale. Countries volunteering uniformed personnel to Peacekeeping Operations are reimbursed by the UN at a standard rate, approved by the General Assembly similarly with the MFO per month. Police and other civilian personnel are paid from Peacekeeping budgets established for each operation.

The UN also reimburses Member States for providing equipment, personnel and support services to military or police contingents and Government intends to move towards obtaining such progress of revenue. For example from the UN Peace Keeping Operation Country profile, India receives in UN reimbursement though not negligible of about US\$250 million on average per year for equipment and personnel deployment. Fiji is capable of achieving similar remuneration if we consider wet lease arrangement for major equipment for such entitlement with the UN and MFO.

Madam Speaker, since our first deployment in 1978 there has been a surge in employment in the RFMF, Police and the Corrections Service. Servicemen on return have established small businesses that offer further opportunities for employment to the unemployed. It is evident that personnel returning from Peacekeeping Operations are investing in land, farms, vehicles, real estate and equipment for personal and entrepreneurial purposes.

Madam Speaker, most of the people recruited in the Forces come from underprivileged rural communities. Their participation in Peacekeeping Operations has allowed them to return and lift their living standards and also impacting their families, surroundings and the society.

Madam Speaker, the exposure to a multinational environment has widened their scope of understanding of not only conflict resolution, but education and understanding of some international issues and trends like IT development, importance of culture, national interest, gender issues, human rights and international law. This has developed the professional knowledge and outlook of our servicemen and women. In rubbing shoulders with other service personnel of various nationalities and most with their advanced societal knowledge encourages the aptitude thirst when inter-relationships and operability.

Madam Speaker, our participation in Peacekeeping Operations has generated a lot of friends for Fiji. This has led us to the foreign policy of “Friends to all and enemies to none”. This doctrine proves to open doors for assistance in several challenges specifically to affairs of national security for example, the close to instant support from foreign nations in transnational criminality.

Madam Speaker, the development of our servicemen and women in the international environment has developed them to become better people in their communities and society. Returning deployed servicemen particularly ones in the Territorial Force tend to be examples in the rural communities and looked up to because of their bold service and exposure to Peacekeeping Operation and international contact.

Madam Speaker, I have just recently returned from a ministerial tour to the Middle East that is programmed every two years where we visit our troops and police personnel serving on deployment. It was indeed a memorable occasion for me as a former member of the RFMF to go back and visit areas that I am very familiar with, countries that I had spent years of my life serving in the promotion of global peace. I was also honoured to have had the chance to visit the UN Headquarters and have discussions with the Assistant Secretary General (ASG) for the UN Department of Peacekeeping Operations (DPKO), Mr. Edmond Mulet, who was assured of our continuous support and loyalty to the command of all UN-led Missions that Fiji serves under.

The Department of Peacekeeping Operations expressed encouragement of the assurances and that UNDOF is unlikely to change the status quo for another three to five years, given the deteriorating situation on the Syrian side of the border. The fluidity of the situation on the ground is such that they will need to succumb to adapting to the current state although eventually the aim is to return to the normal dispositions.

The DPKO confirmed that the deployment would be affected by any changes in UNDOF but the plan is to have the Company plus (strength Fiji contingent remain under the UNIFIL as part of the UNIFIL military strategic planning for the next few years.

The Force Commander (FC) is incorporating the Fiji Company into the UNIFIL structure in the capacity of the FC Reserve. Therefore, for the very near future, the UNIFIL Fiji contingent will be transferred to a separate administrative responsibility under UNIFIL as they are still currently under UNDOF.

Madam Speaker, the team also sought Mr. Mullet’s guidance on the consideration of Fiji for higher representation in the UN DPKO echelons, hierarchy of UN DPKO missions overseas and high level/ senior leadership courses to which we were advised of the serious need to meet the prerequisites set by the UN. It is an open merit system and the competition amongst Troop Contributing Countries (TCC) is very active and vigorous. Political interaction is imperative and it is equally vital that Fiji’s

Mission to the UN, research and identify potential vacant postings and pursue bilateral mediation on the Terms of References provided in order to exhibit Fiji's interests and further secure certain prospects. An example of the tireless efforts was the result of the UNDOF Chief of Staff (COS) appointment currently held by Fiji for the next two years.

Madam Speaker, based on the discussions held with these influential individuals within the UN corridors of power, Fiji is held in very high regard because of the relative contribution that it gives to the maintenance of global peace and stability, compared to its size. The UN ASG for the Rule of Law and Security Institutions in DPKO Mr. Dmitry Titov of the Russian Federation echoed his praise and accolades towards Fiji's contribution to peacekeeping operations from his perspective and the commitment of the Fiji Police in terms of the policing PKO internationally.

In light of the conclusion of Fiji's participation in the United Nations in Liberia (UNMIL) Mission, ASG, Mr. Titov made the assurance that due consideration will be given to the Fiji Police Force for any future UN Missions. However, Fiji needs to consider specialists training for Fiji Police personnel in order to be considered for specialist policing missions.

Madam Speaker, Fiji's past participation with UNIFIL has been held in high regard by all parties to the UN mandate. UNIFIL was pivotal to the progress of Fiji's participation in peacekeeping. Fiji's re-engagement to UNIFIL has been embraced by both parties (Israel and Lebanon) and the local populace.

The Acting Head of Mission for UNIFIL, Mr. Imran Riza expressed his gratitude on the re-engagement of the Fiji troops since 2002 and how uplifting it is to have the Fijians back in Lebanon. He assured the safety and security of the Fiji contingent and assured the entourage that the current contingency plans is sufficient to mitigate current threats faced by UNIFIL. The Fiji troops serving with the UNIFIL have been in high morale, showing sound proficiency and discipline in the few months of Fiji's re-engagement with UNIFIL.

Madam Speaker, in recognition of Fiji's peacekeeping contribution to the region, the Israeli Defence Minister, His Excellency Moshe Ya'alon took the opportunity to meet the entourage whilst touring the region. Minister Ya'alon expressed grave concern over the evolving threats in the region, especially with the new phenomena of ISIS recruitment from the Western Nations considered allies to Israel. Minister Ya'alon however expressed his deep appreciation to Fiji for its deployment on the critical borders with Egypt (MFO), Lebanon (UNIFIL), and Syria (UNDOF).

Madam Speaker, the UNDOF position in the Golan Heights has been reinforced by the Israeli Defence Forces (IDF), given the current location of the Camp HQ on the Israeli side. Major General Purna Chandra Thapa of Nepal and his Deputy, Brigadier General (BRIG-GEN) Tony Hanlon of Ireland, during our exchanges in my recent visit to the Golan Heights, expressed their gratitude to Fiji for the professionalism, loyalty and discipline of the Fiji troops despite the limitation in terms of Contingent Owned Equipment (COE).

Madam Speaker, Fiji has served with the Multi-National Force and Observers (MFO) since its inception into the Sinai Peninsula in 1982. Currently, Fiji has 335 personnel serving with the MFO, based at the Northern Camp HQ and manning of various field sites in the very north of the Sinai which is the location of recent insurgent activity.

The Force Commander, Major-General Denis Thompson of Canada and his Chief of Staff, Colonel Jones of the US Marines expressed that the MFO is deeply indebted to Fiji because of the immense contribution that our troops has made in the past. They also expressed their sincere appreciation to the great work that is currently being provided by the Fijian contingent through the

conduct of armed escort within the MFO areas of operation and provision of the Force Commander's Reserve.

Madam Speaker, in light of the current escalation of violence in Sinai, RFMF personnel as part of the Multinational Force and Observers (MFO) Mission have continuously been updated on the developments, including increasing radicalism among the Sinai Bedouin, the proliferation of weapons, and the growing presence of foreign fighters in the Sinai. In response to the escalating threats within the MFO area of operation, members of the MFO have had to curtail their movements and bolster security around the base.

Madam Speaker, our Fijian troops have also contributed significantly in the achievement of the UN mandate in South Sudan. This mission currently has six RFMF officers and nine police officers serving committedly.

The Deputy Force Commander of the Mission, Major-General Chang, from the People's Republic of China expressed profound appreciation for the significant contribution that our troops have made during our meeting.

Madam Speaker, before I conclude, it is envisioned that Fiji's commitment to peacekeeping will remain in the short to medium-term. The strategic and economic benefits will continue to grow. Our political leverage as a result of our commitment enhances our position in the international arena. Fiji is known to be a peacekeeping superpower; known to punch above our weight due to our considerable contribution to world peace. Such a commitment for a Pacific Island Country (PIC) stamps Fiji as good global citizens for the efforts that are acknowledged by the UN DPKO and MFO leadership.

Madam Speaker, the nature of UN Peacekeeping has changed considerably, since our first deployment to Lebanon in 1978. The policy of the Troop Contributing Countries (TCCs) providing manpower only has not changed. The requirement of the UN now is for the Troop Contributing Countries to provide both manpower and the relevant equipment. Given Fiji's reputation as a Peacekeeping superpower, it is highly likely that Fiji will be considered for future peacekeeping operations provided Fiji meets the UN Peacekeeping Deployment requirements.

In conclusion, Madam Speaker, this august House must acknowledge how crucial peacekeeping is to Fiji's foreign policy and international relations. Peacekeeping growth can be derived through various efforts but I must acknowledge Government through the Ministry of Foreign Affairs for their continuous effort in developing this very important aspect of our foreign policy.

Madam Speaker, the establishment of formal diplomatic relations with numerous countries to date creates various avenues of foreign assistance. The UN, MFO, and the Mission Force Commanders witness firsthand the value of our peacekeepers and their importance in the achievement of the mandate of the various missions that they serve in. This recognition enhances the opportunity to increase our participation in various capacities with the UN and MFO Peacekeeping operations.

Madam Speaker, the endearing support of this august House and the Nation is humbly requested to ensure that we continue to promote Fiji to the world through our proud and ardent peacekeeping efforts.

MADAM SPEAKER.- Thank you. I now invite response from the honourable Leader of the Opposition or her designate.

HON. RATU I.D. TIKOCA.- Madam Speaker, I thank the honourable Minister for Defence, National Security and Immigration. Fiji establishes Permanent Mission to the United Nation on 13<sup>th</sup> October, 1970; three days after obtaining its independence from the United Kingdom. Since then, Fiji's participation in the United Nation has been notable, primarily of its active role in UN Peacekeeping Operations which began in 1978.

Madam Speaker, in 1978, and I acknowledge the presence of the honourable Major-General Konrote, we are the pioneers of peacekeeping back then.

(Applause)

In 1978, I went as the Commander of the Pioneer Group that actually cleared the mine field, booby traps and bomb, before the First Battalion arrived at the area of operations. The honourable Major-General Konrote then was an Infantry Company Commander of C Company. I thank him that we were able to serve this august House.

I want to make a comment in regards to what was asked and what is the Military now. Then, we were the worst paid civil servants, officers and the like of other ranks. When we swear our allegiance, it is to the defence of this country and he knows very well what I am talking about. A little bit shaky now, because the loyalty is probably driven financially and that is not going to be good for our Military.

Madam Speaker, an article in the ABC Australia on 2<sup>nd</sup> September, 2014 titled "Fijian - UN Peacekeepers cash experience and lure through fears remaining following abduction in Syria." The money made in peacekeeping is seen as one key reason for the Pacific Nation's involvement. The Australian National University's, John Frankel and Stewart Firth, estimated that Fijians brought home \$322 million in their first year of service with the United Nations.

Some research even suggest total remittances from Fijians working overseas has become more valuable to Fiji than traditional sectors like sugar and manufacturing. In the last financial year, the UN spent nearly \$8.6 billion on the peacekeeping operations. Each UN member contributes to its Budget with the US, Japan and France the biggest donors. The UN then reimburses countries that are volunteering peacekeepers at the rate of just over \$1000 per troop per month. Fiji currently has 734 personnel on UN Peacekeeping Mission, of which the majority are troops.

In a country where the gross national income is only \$4,765 per person, more than \$1000 per troop every month is seen as good money. It is no surprise, therefore, that Nepal and Bangladesh are among other key contributors of troops to UN Peacekeeping Missions.

Madam Speaker, estimate says about 25,000 Fijian troops were deployed to the United Nation Peacekeeping Missions in Fiji's, first 30 years of involvement, another six years on, that number is now likely much higher. That operations have been in place such as Kosovo, Iraq and East Timor. With such large numbers of troops serving overseas, experts have argued it has had significant implication on domestic politics.

Madam Speaker, in an article to the Australian Strategic Policy Institute, the former Commander of Fiji Land Forces said:

"That the confidence of troops gained overseas gave the Fijian Military an inflated corporate south image".

Participation in the UN Peacekeeping Missions also necessitated that the Military increased in size beyond what would be required to revamp Fiji. By making peacekeeping, the centrepiece of



foreign policy, the Fijian Government has unwittingly enhanced the Military capability to intervene in domestic politics.

Madam Speaker, more than 85,000 troops are currently taking part in UN Peacekeeping Missions around the world. Of course, working in conflict zone comes with risks. 51 Fijian troops have been killed on peacekeeping duties today. The majority were wounded in the UN Missions in Lebanon but Fiji has no intention of scaling back its UN peacekeepers.

There was a hostage crisis where 45 of our Fijian UN peacekeepers captured by an Al-Qaeda, affiliated rebel group in the Golan Heights, where they were released after the Fijian Government decided to negotiate with terrorists but Fiji has no intentions of scaling back its UN Peacekeepers.

Madam Speaker, with comments recently by the honourable Prime Minister in the Solomon Islands during the Melanesian Spearhead Group Leaders Summit this year, the idea of a regional army was mooted. A regional peacekeeping army to be trained at Black Rock, Nadi is an inflated ego, to boost the Military that is too big for its shoes.

Madam Speaker, peacekeeping - we are all re-known for peacekeeping but when the soldiers come back, they are used to carry out acts of intimidation, violence and hate, they are used by coup planners, they are used against our democracy and then their actions are protected in the 2013 Constitution. The document we are ordered to celebrate in the special order day. Peacekeeping has been used as a political football by regime elite. They used peacekeeping as a fact gathering to entrench their military rule.

MADAM SPEAKER.- Your time is over, thank you very much for your contribution.

HON. RATU I. KUBUABOLA.- Madam Speaker, Point of Order. I think the honourable Member is not telling the truth in his statement. The Fiji Government did not negotiate with the terrorists, Madam Speaker, I think he needs to take that back.

MADAM SPEAKER.- Thank you, the honourable Ratu Tikoca. That statement has now been...

HON. RATU I. KUBUABOLA.- We negotiate with the Government of Qatar and they are not rebels.

MADAM SPEAKER.- Honourable Ratu Tikoca, would you like to withdraw that particular statement?

HON. RATU I.D. TIKOCA.- Can I make a date to provide another statement to qualify my statement or just to withdraw?

MADAM SPEAKER.- No, just to withdraw that particular statement.

HON. RATU I.D. TIKOCA.- Probably, I will write to you some facts for you to ....

MADAM SPEAKER.- Would you like to withdraw?

HON. RATU I.D. TIKOCA.- Thank you, I withdraw.

MADAM SPEAKER.- Thank you. I now invite the honourable Leader of NFP or his designate.

HON. ROKO. T.T.S DRAUNIDALO.- Madam Speaker, on behalf of the National Federation Party, I wish to say that we always wish well to the men and women who are deployed in peacekeeping operations for their personal safety to return home to their loved ones, happily and safely. We like other Fijians, we always wish that.

However, Madam Speaker, we have a very different policy setting to the one that has been pursued in this country for some time. Our policy objectives are very different in terms of the Military. Madam Speaker, very briefly, we do not believe in the continued militarisation of this country and we believe that what has occurred in the last 30 years, puts the Military at the centre of life in this country, and that is now in Section 131 of the Constitution. Madam Speaker, that is something that we, as a matter of policy, disagree with and we would like to agree to disagree with other parties that pursue militarisation.

We have heard from the honourable Minister about the benefits of peacekeeping. The National Federation Party would invite the honourable Minister to please institute an independent commission to review and make a cost benefit analysis on the benefits and the cost of peacekeeping to Fiji. That would be better than processes of self-review which, I believe, is being carried out at the moment, because self-review is very much self-interested and full of confidence.

I have heard a presentation from the current Defence Review Team that is currently reviewing the role of the Military, and I heard in their presentation where it confirmed this policy of putting the Military right in the centre of life in this country. When I have been saying and being talking about our worry about militarisation and the *coup* culture, I think after hearing their presentation, Madam Speaker, I must say that they presented it with much sincerity and I did not see any concern at all from their point of view about this continued militarisation of the State. They thought it was just a normal fact of life, and this was going to continue.

Madam Speaker, I think I may have underestimated the problem, having listened to them. They really believe genuinely that they are it – the “be all and end all” of this country. That is their belief and that is something that this Party is just very opposed to, the continued militarisation of the State.

Madam Speaker, I did try to persuade the gentleman who carried out that presentation that the philosophy that they relied on, which was in the papers that were presented, was in a very out-dated philosophy. It was a Left-Wing philosophy from the Cold War, Madam Speaker. It is something that, after the World War and the world’s splitting into two between the liberty-train and the communist-train, that was very much the basis of the communist trained. I tried to tell the gentleman; “That is where Indonesia was, under Suharto, and that is where Burma was”. The other communist countries like East Germany and China, the two biggest in terms of brains and money, in the last few years have quickly got on to the liberty train. They have just reforming themselves to get on and catch up, and they are going to lead the world, Madam Speaker. Here we are, we were there in the liberty train and we are going backwards, to try and go back to this out-dated philosophy (Left Wing) to put the Military back at the centre of life in this country.

Madam Speaker, I would like to say to all the 50 honourable Members in this House; just to take our policy role very seriously, we just have to think of what Fiji we are going to leave behind for the children. Do we really want to leave behind for them ....

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- A stable Fiji!

HON. ROKO T.T.S. DRAUNIDALO.- ....an Indonesia under Suharto or do we want to live for them a free democracy, like our neighbours Australia and New Zealand, Madam Speaker and which their philosophies are very different?

That is my contribution this morning, Madam Speaker.

MADAM SPEAKER.- I now give the floor to the Honourable Minister for Education, Heritage and Arts, who has informed me that he wishes to make a Ministerial Statement under Standing Order 40.

### Strategy to Reform Education

HON. DR. M. REDDY.- Madam Speaker, I am indeed honoured today to present to the House our strategy for reforms in education that we have embarked on from late last year, continuing on from the reforms undertaken prior to the Elections last year by the Bainimarama Government.

Madam Speaker, this discourse in education is not just confined to Fiji but is now globally held by international agencies, at the global level the discourse is centred around accessibility, affordability, quality, government resource allocation, digital literacy, compulsory education and technical education.

Madam Speaker, this discourse at the global level has arisen out of the recognition that:

- 1) More than 250 million of the 650 million primary school aged children, approximately 38.4 per cent, are unable to read, write or do basic mathematics.
- 2) Accessibility and affordability problems are pushing children of poor households into hardship and poverty and is also responsible for intergenerational poverty.
- 3) This dichotomy in educational accessibility and affordability is the primary causal factor for the growing income inequality in developing societies.
- 4) The quality of the products out of our schools and universities need to be raised substantially;
- 5) The last three decades of preoccupation with higher educational qualifications has resulted in a serious mismatch in the labour market, an oversupply of higher educational qualifications and an undersupply of skilled workers.

Madam Speaker, this is global convergence of the view that education has the transformative power to eradicate poverty and hunger, improve living standards and provide dignified living to all. Globally now, education is seen as a fundamental right. At home, here in Fiji, the Constitution that honourable Members on the other side were attacking yesterday, is the only Constitution in Fiji's history that has recognised and stipulated these.

Madam Speaker, the Bainimarama led FijiFirst Party recognises that quality education is more than an entry point into the job market. It is the foundation for personal fulfilment, gender equality, social cohesion, sustainable development, economic growth and for responsible local and global citizenship.

Madam Speaker, we must ensure that every child who goes to school, receive the right learning and contribute fully to society. Education must be the first priority, not just any education, but quality education to shape our country or this world into a better place. However, Madam Speaker, the Bainimarama Government recognised this long back since 2007. The Government started investing in education and following a close observation of Fiji's inequitable access to primary, secondary and university education, the Government made primary, secondary and university education free.

To deal with space constraints at the regional university, the Bainimarama Government established its own national university, which is now the largest university in the entire Pacific Region with respect

to a number of programmes, range of programmes, as well as programme level. To ensure that children of poor households are able to travel to schools, bus fare has also been waived to those originating from low income households. This year, our Government extended free education to early childhood centres and also now provide free milk and wheat-bix to all Year 1 children.

To ensure that our societies worldwide are well educated and a knowledgeable one, UNESCO formulated six “Education for All” goals in ensuring that no child is left behind and every child is able to access education effectively and efficiently. The six “Education for All” goals are as follows:

- 1) Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children.
- 2) Ensuring that by 2015, all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities have access to and complete free and compulsory primary education of good quality.
- 3) Ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes.
- 4) Achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women and equitable access to basic and continuing education for all adults.
- 5) Eliminating gender disparities in primary and secondary education, and achieving gender equality in education by 2015, with a focus on ensuring girls’ full and equal access to, and achievement in basic education of good quality.
- 6) Improving all aspects of the quality of education and ensuring excellence for all, so that recognised and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills.

Madam Speaker, one very important strategy formulated by UNESCO is the development of education system to foster quality and inclusive lifelong learning for all. To ensure that lifelong learning becomes a reality for all requires a holistic, sector-wide approach in which the entire education system is designed to facilitate lifelong and life wide learning and the creation of formal, non-formal and informal learning opportunities for people of all ages.

Madam Speaker, since late last year, following feedbacks from our stakeholders on:

- a) serious gaps in the quality of our graduates;
- b) flaws in provision of teaching and learning in our Primary and Secondary schools; and
- c) inequitable quality of school infrastructure around Fiji.

We decided in the Ministry to adopt a reform strategy pegged on three key Pillars:

- a) Pillar 1: Improvement of delivery by our teachers;
- b) Pillar 2: Improve of the school infrastructure for enhancement of student learning environment; and
- c) Pillar 3: Improvement and enhancement of Content.

Madam Speaker, let me now provide details of these three Pillars of the Reform Strategy.

#### Pillar 1 – Content Review and Development

Madam Speaker, Curriculum is at the heart of the strategy to deliver quality and a high academic standard educational outcome. We had noted some serious problems with the quality of graduates that are coming out of our schools and universities. There is an obvious need to revise our curriculum to bring it to par with the curriculum of schools in Australia, New Zealand and India. We intend to undertake a more comprehensive work on this next year with the help of experts from outside Fiji. This year, following budgetary allocation by Government to appoint subject matter specialist in our curriculum division, we have appointed Senior Education Officers with quality Master's Degree in the relevant subject area.

Syllabus has been standardized for all schools in Fiji. The Ministry is also working on producing video and audio on syllabi content and should be quite helpful to teachers when using syllabus to plan and prepare lessons, scheme of work and other materials involved in teaching and learning.

Madam Speaker, we have brought back External Exams into the schools from Year 6 to 13. All students across Fiji, say for a particular Year, for a particular subject, will now sit for a standard exam paper. This will ensure that every teacher completes full syllabus and all students are tested on the same material immaterial of which school they attend and where from.

Madam Speaker, unlike before, these exam papers will not be prepared by team of school teachers but by our subject matter specialist based in our Curriculum office.

Madam Speaker, the examinations are a diagnostic tool only and not to fail or discourage a student. The Ministry is allowing an automatic progression up to Year 12.

Madam Speaker, unlike before, marks will no longer be scaled. Original raw subject marks will be given to students which will ensure that all parties gets true picture on the true stock of knowledge a student has acquired.

Madam Speaker, in 2014, the FijiFirst Government led by Prime Minister Bainimarama promised the people of Fiji to establish technical colleges campuses around Fiji via which we will provide Level two Certificate in key trade areas to those who have an aptitude in technical education. So far, we have established three campuses with over a thousand students enrolled with them.

Madam Speaker, we intend to establish at least seven more and we have expressions of interest from 10 more institutes to be converted to technical campuses of technical colleges. Madam Speaker, more than what we need for next year.

Madam Speaker, for schools to be converted to a campus of technical college, two key criteria needs to be met:

- a) schools that have good infrastructure that no longer serves the original purpose when it was established; and
- b) schools with low student numbers and have in the nearby neighbouring schools within five kilometres proximity for the remaining students to attend to.

Madam Speaker, we have now embarked on training our teachers on basic OHS and First Aid Skills so that they impart these knowledge and skills to all our students and all our students will finally have also OHS and basic First Aid Skills to deal with issues they may confront.

Madam Speaker, given that Year 6 and 8 final exams will be completed by week 4 of Term 3, we intend to make certain to further develop the students by making the following compulsory:

- a) Year 6, we intent to utilize the seven weeks for Values, Virtues and Civic Education, training of these students.
- b) Year 8, Girl Guides and Scouts, National Identity and Constitution and Citizenship Education will be made compulsory for these students for the remaining seven weeks when they finished their exams at the end of the year.

Madam Speaker, we want our children to better understand Fiji's heritage, Arts and what citizenship is all about. We intend to use this seven weeks of the last nine weeks to prepare our children to be good citizens of Fiji.

### Pillar 2 – Delivery by our Teachers

Madam Speaker, for the first time in Fiji, we are hosting induction ceremonies for new Teacher Graduates where teachers will receive training and awareness on all the new changes of the education system, information on capacity building and the policies. The inductions are being done to improve teacher quality, enhanced student achievements and accelerate effectiveness of teaching.

Madam Speaker, the Ministry has engaged in talks with teacher training institution to adopt a common curriculum by 2016. Under this strategy, all teachers no matter what university or teacher training institution they graduate from will learn the same skills and have the same teacher training and subject delivery skills.

Madam Speaker, at the moment when we take graduates from USP or University of Fiji or Fiji National University, we treat them as a same product but the education units they do are different. We need to centralize this given that we are the only employer for teachers in this country. Madam Speaker, we want teachers to have reasonable grounding in the subject area and thus in areas where we have over supply of graduates, we will recruit teachers based on grade. Madam Speaker, we want to place the best and brightest minds in our classrooms.

Madam Speaker, we encourage not only urban but also teachers from remote and maritime areas to upgrade their qualifications through in service courses and continuous professional development workshops.

Madam Speaker, from next year all our high school teachers, non-English subject teachers, will be required to undertake online training in basic English proficiency and sit for diagnostic test. This test is a diagnostic tool to ensure competency of teachers in both oral and written English. The idea here is for all subject teachers, whether you are taking mathematics or physics, you also check student submission for proper English.

We have also revised our teachers' evaluation criteria where we have given students opportunity to contribute to the assessment of their teachers. The other forms of assessment will be carried out by the immediate supervisors and the outcome of the external examination results will also now feature in their overall performance rating.

Madam Speaker, output matters and the output that we are after in our school system is the ability of a teacher to ensure that a student, upon completion of a year's study has acquired a new body of knowledge. To determine that, we have exams and these exams marks will not only now reflect students'

performance but also our teachers' performance. We also have the professional development of our teachers to constantly update them on any new initiative undertaken by the Ministry of Education.

Madam Speaker, we conducted forums for all school heads in the four divisions in the beginning of the year. The Head Teachers and Principals Association also have their forums where our Senior Managements are invited from the Ministry to make presentations on the latest reforms undertaken by the Ministry of Education and share good practices to address challenging issues faced by teachers in the classroom. I personally make a point to attend these forums, Madam Speaker, to outline the vision we have, the vision Government has and where they feature in terms of ensuring that we collectively realise those vision.

Madam Speaker, we are also in the process of incentivizing experienced specialist teachers to teach Year 1 and Year 2 children from 2016. These students need special attention, Madam Speaker, teachers with relevant expertise should be appointed to teach these children at this vital stage of development.

Madam Speaker, close to 457 Primary Schools, out of the 715 Schools in Fiji, which has eight classes but have teachers less than eight.

Madam Speaker, for example:

- Rakiraki – 30 Primary Schools have less than eight teachers but they have got eight classes.
- Ba and Tavua – 35 Primary Schools have less than eight teachers, they have eight classes to teach.
- Nadroga/Navosa – 34 Primary Schools have got less than eight teachers.
- Lautoka, Nadi, Yasawa – 34 Primary Schools have got less than eight teachers teaching eight classes.

Madam Speaker, Eastern Division has 114 Primary Schools which has less than eight teachers, teaching eight classes. Suva 19, Nausori 78, Macuata/ Bua 60, Cakoudrove 53. A total of 457 Primary Schools have teachers less than eight, teaching eight classes.

Until such time this situation prevails, we will never be able to improve quality of class teaching and thus student performance. Madam Speaker, while some have been harping about large class sizes, not a single contributor have talked about this glaring flaw in our primary school system. How can one teacher teach two classes simultaneously?

HON. J. DULAKIVERATA.- And you have retired all our teachers.

HON. DR. M. REDDY.- And produce quality graduates.

Madam Speaker, we intend to fix this problem over the next four-year period by gradually increasing our intake of teachers as we started last year, with an allocation from the Ministry of Finance and increasing teachers in the schools towards meeting a target of 8 teachers in schools.

Madam Speaker, I will go to Pillar 3 – Improving Infrastructure. Our Ministry has done a survey that shows that schools in rural areas and maritime zones are in poor condition, and therefore more financial assistance will be provided to schools in terms of providing proper infrastructure and utilities, providing water tanks, generators, upgrading computer laboratories, resourcing libraries and building more classrooms and carrying out long overdue maintenance work.

Madam Speaker, we have done a survey of different school sizes and operational grants and funds for basic maintenance that they will need. We will make more allocations to rural, interior and maritime schools, smaller schools and take money away from larger well established schools in the urban area. We have begun this work, following my visit to Yasawa and Kadavu and this work will continue in other regions.

Madam Speaker, let me conclude, there is more to say, but I will conclude now. We intend to develop a sound foundation for future Fiji society, one whose foundation is based on knowledge, hence our honourable Prime Minister's vision of a "Knowledge based society."

In this journey of ours, we encourage teachers and parents to encourage#

e our children to take up sports and extra-curricular activities, especially during school holidays and breaks. One of our projects, "Students in Parliament" in which 60 students took part was very successful and so has our programme on students to learn the art of making *masi* and mats. We will be running competitions on extra-curricular activities.

Active parents support and involvement in the activities of the children during the recent *Kaji* Rugby and sporting events are applauded. Not taking too much of the valuable time of this House, I congratulate Suva and Tailevu for winning the *Kaji* Rugby. I also congratulate Kamil College for winning the recent Fiji Secondary School IDC, Jasper Williams High School and Natabua High School for winning Coca Cola Games earlier in the year and QVS for winning Under 14, Under 15, Under 16 and Under 17 divisions, whereas RKS won the Under 18 and Under 19 final and was crowned champions of the Coke Zero Dean School Rugby Championships. I also wish to congratulate ACS for winning the Netball Competition in Lautoka. Well done to these schools and players.

For the knowledge of the House, the Special Olympics Fiji Team held for children with special needs has successfully returned from 2015 Special Olympics World Games in Los Angeles, USA won 3 gold, 2 silver and one bronze medal and I congratulate them too.

Madam Speaker, and honourable Members of the House, the education process and system is always linked with the final outcome we are after. The final outcome is an educated society with prodigious wisdom and an ability to be able to function independently. A society which has the ability to think critically and logically and make rational decisions, which is built on a solid foundation of values and virtues and believes in fair mindedness and inclusiveness. With our reforms we will achieve this. Our children have the right to education, a quality education in all forms so let us give them one. Madam Speaker, thank you for allowing me to speak.

MADAM SPEAKER.- I would like to remind honourable Members from the Opposition that when the bell rings, it means that you still have 2 minutes to go.

HON. M.R. LEAWERE.- Madam Speaker, allow me to make our contribution to the statement made by the honourable Minister for Education regarding the reforms.

While we applaud the idea, but we have reservations about those reforms and there are issues that the honourable Minister has to consider. Changes, Madam Speaker, are positive ways to improve activities or policies and must be carefully planned and widely discussed and a structure to establish them from.

What we have heard from the honourable Minister is another of his reforms that lacks the elements I have just mentioned. These reforms are borrowed from somewhere else, and it being successful where



it was brought from does not mean that it is going to work well in our system. It needs the input of stakeholders, the community and I would like to suggest that the Social Affairs Committee listens to the views of the people, take ownership and submit their findings to this august House, Madam Speaker.

A knowledgeable society can only come about through dialogue, preparedness of the people and especially the implementers, the teachers, who need to be well versed and trained to carry out these reforms. Unlike *qana kato*, where we used our knives to cut cane, clean them and throw them into the trucks, no, Madam Speaker, this requires a lot from all of us, especially our teachers. Extensive training and exposure are crucial if we are genuine in our efforts to improve education in this country and it cannot be done overnight. It should not be done to please the honourable Prime Minister, but it must be carried out due to our genuine and passionate thoughts about the people of this nation.

A contentious issue is funding and which budgetary allocation the honourable Minister will use for the implementation, if it is going to be this year. The changes in the Ministry is going at breakneck speed, and who suffers the most? The teachers as they are the implementers of these activities. Madam Speaker, I feel for my fellow teachers who will be tasked to do this. They have been told to shape up or shipped out in messages being sent to them.

(Chorus of interjections)

If they do not perform, they are out. This is what is happening and it is sad as teachers are affected seriously by these changes.

A lot of reforms are being implemented without discussions and wide consultations and this new reform will be another nightmare for our teachers. Their starting salary is at \$12,000 plus, below the income tax threshold of 2013 which is \$16,000, and unlike other Government departments, this must be seriously considered by the honourable Minister. Raise all teachers' salaries as they make doctors, lawyers, prime ministers, politicians and any other employment, you name it. All of us in this House, Madam Speaker, are living testimonies to those who taught us. These teachers, if paid well, will produce the results this reform is trying to achieve, and I hope the honourable Minister considers this in his budgetary allocation for 2016.

Madam Speaker, improved structures in classrooms should cater for this reform as I have said, it cannot just be borrowed and thrown at us to carry out, but we must consult widely and the unions are better placed as well to assist as they have the ability to reach the unreached due to their branches and networking.

Madam Speaker, appropriate funding allocation, salaries of teachers increased, structures in place, wide consultations are essential for this reform to achieve its target.

HON. DR. B.C. PRASAD.- Madam Speaker, I thank the honourable Minister for his Ministerial Statement. Education is one sector in our society which needs a lot of patience, a lot of understanding, and less arrogance, less rush, less undertaking reforms without consultation.

Madam Speaker, let me give you an example of that kind of arrogance we have had in this country in the past. I was a student in 1984, trained as a graduate teacher, planning to go and teach in a school in 1985 and we had then the Minister for Education introducing the Volunteer Scheme. The Volunteer Scheme, Madam Speaker, to put teachers to go and teach for \$3,000 and I was involved in co-ordinating a hunger strike against that policy at that time because we believed that the economic status, the social status and the professional status of teachers is so important, if we want to advance quality education in this country or anywhere in the world. I think if we lose sight of their economic, social and professional status, we are going to make a mess of everything.

The other thing that I want to say to the honourable Minister for Education, I think he is right, Madam Speaker, when he talks about the need for discourse on education and he is right when he is talking about the discourse on affordability, accessibility, quality, digitisation, role of technology and these are very important conversations that is happening all around the world.

But, Madam Speaker, in our case, and this is why I had earlier suggested to the honourable Minister that an Education Commission would have laid down all these issues. For example, as I said before, I supported the honourable Minister for Education to look at the whole issue of scaling, but if you look at the recommendations, there were two Reports on that particular issue. What I would have wanted, for us to have more discussion, more understanding of the reasons why scaling was there and what would be the impact if we remove scaling.

Now, Madam Speaker, if you go on raw marks and the honourable Minister for Education is on record, the subjects which were affected in a way that the marks were reduced were subjects in which not many students were involved. The majority of the students who got very low raw marks were in science, economics, accounting and what we are going to have, now that the universities have agreed as the honourable Minister for Education promised that the Vice-Chancellor would agree to go down to 200 marks for entry into the University. I think what will happen, and I think the concern of the honourable Minister for Education is correct. He is worried about people coming out of higher education institutions, not having jobs and not having quality qualifications.

This reform, Madam Speaker, and if what the honourable Minister for Education said in the House that he expects pass rate to increase, as opposed to the pass rates or before under scaling then what that means is more students would end up in tertiary institutions with more than 200 marks and we could have a situation where we will have a lot of graduates coming out of the tertiary institutions without that quality that we want to improve. I think we need to understand that very well.

Madam Speaker, if I may continue. The other point that the honourable Minister for Education pointed out is that, he wants more students to come out with technical qualifications. We have had debates in this House on the technical colleges. Again, Madam Speaker, as I said before, sometimes pragmatism requires us not to discard everything that we did in the past and to look at what worked in the past and what we could build on. Again, I am very, very concerned about how we are going to prepare this country with more technical skills, with the way in which the technical colleges are going to be set up.

I think, if you look at the experience of countries which are producing good technical skill, they still have this idea of apprenticeship and I think I would urge the honourable Minister for Education within his grand scheme of technical colleges, he should have discussions with the Minister for Employment and Industrial Relations to see whether we can bring back apprenticeship schemes in this country because that will provide us with a sustainable way in which we can produce technical graduates. We could provide employers with incentive, Madam Speaker, so that we can incentivise them to take on technical people who can get real training by working in those firms or companies.

Madam Speaker, again I think the honourable Minister for Education has to understand that some of the reforms that he has overturned, for example bringing back examination, were actually undertaken under the Bainimarama Government over the last three or four years. So we are reversing things just within a few years and not trying to understand the actual impact that it might have in the future. Once again, I would urge the honourable Minister for Education that it is not too late to step back and think about the reforms and the process of undertaking them.

MADAM SPEAKER.- I thank you very much for your input on that. As we suspend this sitting for lunch, I would like to remind honourable Members that we will continue with the Ministerial

Statement, and in accordance with the motion presented on the National Protection Bill upon presentation of the Report by the Standing Committee, Parliament resolves itself into Committee of whole of Parliament for consideration of the Bill and voted on.

With those words, I suspend this sitting for lunch and we will resume at 2.30 p.m.

The Parliament adjourned at 12.35 p.m.

The Parliament resumed at 2.30 p.m.

MADAM SPEAKER.- Honourable Members, you may be seated.

HON. S.D. KARAVAKI.- Madam Speaker, a Point of Order.

MADAM SPEAKER.- Point of Order.

HON. S.D. KARAVAKI.- Madam Speaker, I rise under Standing Order 74, which is a general section for point of order. I realise that under Standing Order 62, all Members should be very careful in the words that they use in this House, not to incite violence or anything as such.

My Point of Order this afternoon, Madam Speaker, as we sit here in this Parliament, it is not the same kind of restraint that is out there with members of the public. Right now, in the town of Tavua, the case for those who were arrested in Ra is going to be convened at about two o'clock, maybe right now. Madam Speaker, there is a presence of about 100 military personnel in there, carrying weapons. While we are trying to promote tourism, that kind of presentation is not good for the country. I am raising it now, Madam Speaker, if the responsible Minister can inform this House of what is going on because these people cannot conduct themselves in any way that would necessitate this kind of response and it is bad for the country.

MADAM SPEAKER.- The point of order is only to do with procedures of the House and on a matter that the Speaker can take action on.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker.

MADAM SPEAKER.- The point of order that you raised is really addressed to another Minister. It does not qualify under the Point of Order process.

HON. S.D. KARAVAKI.- Madam Speaker, thank you. It would be necessary for the Minister to address and inform this House because the public would like to ascertain that there is nothing wrong in this country. The tourism is going to be very badly damaged in this kind of case.

MADAM SPEAKER.- Thank you. My ruling has been made that it is not a point of order at this time.

HON. RATU I.D. TIKOCA.- Madam Speaker, a Point of Order.

MADAM SPEAKER.- Point of Order.

HON. RATU I.D. TIKOCA.- This is just to clarify my position, where I was told to withdraw my statement rather than discussing more on this issue. I have five documentary evidence to justify my statement that Government is actually engaging itself in the past in discussing the release of our people who were captured by the terrorists. I have these five documents, if it needs to be given, I will provide that.

MADAM SPEAKER.- Any ruling that is made by the Speaker, if there is any challenge to that ruling, it has to be made immediately when the ruling was made. We cannot refer back to a ruling that was made earlier in the day. However, should you wish to table those documents, then it will have to come through the process of a motion.

We will now continue with the *Order Paper* for today. I invite the honourable Minister for Foreign Affairs, who has informed me that he wishes to make a Ministerial Statement under Standing Order 40.

### 3<sup>rd</sup> Pacific Islands Development Forum (PIDF) Summit

HON. RATU I. KUBUABOLA.- Madam Speaker, if I may just make reference to what the Honourable Ratu Isoa Tikoca has referred to, I can assure him and I have made this assurance many times to him and also in this House.

The Fiji Government never, never at any time negotiated with terrorists or with the rebel group, never. We sought the assistance of the Government of Qatar, through the Foreign Minister, Dr Khalid and he was able to assist us in the release of the 45 soldiers. I wish, Madam Speaker, that this issue is laid to arrest.

Madam Speaker, thank you for giving me this time, as Minister responsible for the affairs of the Pacific Islands Development Forum normally referred to as PIDF, I wish to provide a very brief report on the upcoming 3rd Summit, scheduled to be held here next week in Suva from the 1<sup>st</sup> to the 4<sup>th</sup> of September. As honourable Members of Parliament may have been watching and also have read in the media the third Summit will be held at the Grand Pacific Hotel with the theme “Building Climate Resilient Green Blue Pacific Economies”.

Madam Speaker, the chief guest to the Summit is His Excellency General Tanasak Fatamagon, the Deputy Prime Minister and Minister for Foreign Affairs to the Kingdom of Thailand. He will officially open the Summit on the 2<sup>nd</sup> of September, next Wednesday.

Madam Speaker, this year’s Summit will be significant and a landmark event for the people of the Pacific for a number of important reasons.

Firstly, Madam Speaker, it will witness the promulgation of the PIDF Charter by the people of the Pacific that will formally establish the PIDF as an international organisation. The Charter, in its draft form, has gone through a very comprehensive consultation process, including online and with representatives from the public sector, private sector and civil society from across the Pacific converging in Fiji on two occasions to discuss and debate the contents of the Charter.

The Charter, once signed by the leaders, Madam Speaker, will give an international persona to the organisation and moreover strengthen the implementation powers of PIDF as a regional and international organisation to better serve the people of the Pacific.

Secondly, Madam Speaker, the Summit will also formally launch, under the PIDF Charter, the Region’s first Regional Development Fund that will finance regional developments and long-term sustainability of the PIDF. The fund, Madam Speaker, once established, will consist of contributions from the members and the urban partners and such other sources for the purposes and functions of the organisation as defined by the Charter.

Thirdly, Madam Speaker, the Summit will also witness the appointment of the first permanent Secretary-General of the PIDF. The Secretary General will be appointed from the amongst qualified and experienced Pacific Islanders for a term of four years and the candidate may be re-appointed once by the Conference.

Madam Speaker, this year the Summit carries the theme “Building Climate Resilient Green Blue Pacific Economies”. The theme is carefully chosen with a twin objective in mind. First, the importance of advancing the sustainable development mandate of PIDF, as endorsed by the people of the Pacific at

the first Summit, and I understand the honourable Leader of the National Federation Party, the Honourable Biman Prasad was at that meeting. Second, it is consistent with the current ongoing negotiations for a new Climate Change Agreement to be adopted in Paris later this year.

Madam Speaker, the Summit will, therefore, provide an excellent opportunity for the people of the Pacific to come together and discuss the positions and key priorities to the critical 21st Conference of the Parties (COP) to the UN Framework, Convention on Climate Change (UNCCC) to be hosted by France. This will constitute key messages which will culminate in a Suva Declaration on Climate Change that our leaders would take to Paris.

Madam Speaker, I think we can all agree that Fiji is leading role in the establishment of the Pacific Islands Development Forum as a space or platform to bring the Pacific together, to prioritise on our regional issues as something this honourable House should be proud of.

We have shown the diversity, irrespective of size, political status, et cetera can be a driving force for development when it is nurtured by transparent dialogues and mutual respects for all stakeholders in society.

Madam Speaker, let me end by reaffirming to this House that preparations are well underway to make this Summit a huge success. Many leaders of the Pacific have already confirmed their participation. It is anticipated that more confirmation will be received in the next few days. From the global community, we have registered participants from Israel, the Foreign Minister Kazakhstan, Kuwait, United Kingdom, China and Chile, just to name a few.

Other prominent Diplomats include the Secretary-General of the Commonwealth Secretariat, Mr. Kamlesh Sharma and the former President of Ireland, currently the UN Secretary-General, Ban ki-Moon and the Special Envoy on Climate Change, Ambassador Mary Robinson.

Madam Speaker, in total, we are expecting to host more than 300 participants from across the Pacific and around the world here in Suva.

Madam Speaker, we are very excited with the level of enthusiasm we have received from the public and private sectors and civil society who will be attending this Summit. We look forward to bring in together the people of the Pacific for substantive discussions to key issues facing the Pacific today. It is important that all these voices are heard as we work towards our common goal of a united, distinctive and sustainable Pacific society.

Finally, Madam Speaker, as an inclusive government, the honourable Prime Minister is inviting you, Madam Speaker and all the Members of Parliament, to attend the traditional welcoming ceremony on next Tuesday morning at the *Vale ni Bose* grounds in Nasese and also on Tuesday evening, the honourable Prime Minister is inviting all of us to the Welcome Reception to be held at the Grand Pacific Hotel.

Madam Speaker, I thank you for allowing me this opportunity to make this ministerial statement; thank you.

MADAM SPEAKER.- Thank you. I now invite the honourable Leader of Opposition or her designate to speak in respond to the Statement.

HON. S.V. RADRORO.- Madam Speaker, I rise to respond to the ministerial statement by the honourable Minister for Foreign Affairs on the Third PIDF Summit and I wish to highlight that PIDF is a very newly established organisation.

Furthermore, PIDF tells that the reason for its establishment is because of the current model of growth and sustainable development aspired by our people has not been working, and I note, Madam Speaker, that this Summit will also witness the launch of the PIDF Charter by the people of the Pacific and that it will also formally establish the PIDF as an international organisation.

Madam Speaker, while I support the concepts of an environmentally and socially sustainable economic development, it is also noted that PIDF is more or less looking something like Pacific Islands Forum, (PIF)

(Chorus of Interjections)

Madam Speaker, we ask the question, that maybe PIDF is being set up as an alternative process to push through Fiji's agenda in response to Fiji's exclusion from the Pacific Islands Forum.

(Chorus of Interjections)

Using the concept of "Building Climate Resilient Blue Green Pacific Economies" while sounding noble, is simply a guise, Madam Speaker, especially when there are regional structures like the PIF that already promote sustainable development in the region for us, and also already, Madam Speaker, it makes the whole makeup of our Pacific regional architecture appear a bit crowded and also looking very dysfunctional.

Madam Speaker, may I also highlight that some of the countries that are also in Pacific Islands Development Forum (PIDF) are also in PIF. Even some of these countries, Madam Speaker, we wonder how they will satisfy their financial levy because some of them even still owe arrears to other regional organisations right now.

Furthermore, Madam Speaker, I wonder if the PIDF is simply a forum that will be used to advance the longer term strategic ambitions of countries like China, Indonesia, Russia and the Pacific while bypassing our traditional partners, Australia and New Zealand.

Madam Speaker, it is very early days and I urge Government to ensure that PIDF and its Summit are able to translate its vision and mandate into practice that will bear tangible outcomes that is really beneficial to the people of Fiji rather than it just becoming another expensive and wasteful replication exercise.

HON. DR. B.C. PRASAD.- Madam Speaker, I wish the honourable Members on the other side listen to this carefully, they might actually learn something.

(Laughter)

Madam Speaker, I want to thank the honourable Minister for his brief and to-the-point statement about PIDF. I also wish to say that the honourable Minister, and actually I pay compliment to him for putting Fiji's agenda in many new international forums and I think Fijians stood well there.

One of the points that I want to make, Madam Speaker, is countries become part of different organisations, different groupings. You look at their own international arena, countries have different interests in different organisations and it is logical for countries to become part of new organisations, sometimes some of them become the creators of new organisations and PIDF's creation has to do a lot with Fiji's leadership and its articulation of the agenda for PIDF. So I am hoping, Madam Speaker, that because PIDF has a very different and to some extent, a very specific focus, and the honourable Minister

is right when he talked about climate resilience, his focus on green/blue economies of the Pacific and indeed, as I said yesterday, the Sustainable Development Goals that we are going to usher in in 2016 and in particular, Goal 13, which deals with climate change and its impact, is very, very important for the Pacific, and indeed very, very important for Fiji as well.

However, Madam Speaker, when I say this, I actually do not contradict what my honourable colleague said about the PIF and I think the honourable Minister, on a number of occasions has said that PIDF is not in conflict with the objectives and the roles of the PIF. I think that assurance, Madam Speaker, is an important one. I do hope that after the Elections, and I actually hope that our honourable Prime Minister will attend the Forum meeting so that assurance from the Government and from the honourable Minister for Foreign Affairs himself, that the objectives of PIDF does not conflict or contradict with the objectives of the PIF. I think that is a very good assurance because PIF has a history and Fiji has always been part of that group and there are important areas and benefits that we can derive from the PIF and being part of the PIF, Madam Speaker, I think that assurance is an important one.

The theme of the third Summit, Madam Speaker, as the honourable Minister said, I think the whole issue of green and blue economy, and particularly green economy, in our context is an important one. I am hoping that in the Development Plans that we are looking at for both short-term and long-term, we will try and articulate very clearly any areas and sectors of the economy where the principles of sustainable development can be tangibly put in place, so that over a long period of time, Fiji is able to become a model and provide the lead in terms of adopting sustainable development policies.

Madam Speaker, sustainable development policies do not just restrict themselves to the specific issue of climate change. I think there are a number of ingredients that are involved in actually adopting a very clear, important sustainable development strategy. It could do with tax policies, specific economic policies and budget.

As I have said, Madam Speaker, from 2006, I would hope that there is always a very clear indication in the Budget about how government is going to implement or operationalize the specific objectives of each of the 17 Goals in the Sustainable Development Goal Agenda.

MADAM SPEAKER.- Thank you, the next item on the Order Paper, I have been advised that the motion by the Chairperson of the Emoluments Committee, has been deferred.

### **RESUMPTION OF DEBATE ON THE NATIONAL FLAG PROTECTION BILL, 2015**

MADAM SPEAKER.- I wish to remind honourable Members that Parliament passed a resolution on 14<sup>th</sup> May, 2015 that upon the presentation of the Report by the Standing Committee on Justice, Law and Human Rights, Parliament must resolve into a Committee of the Whole of Parliament for the consideration of the National Flag Protection Bill, 2015, in accordance with Standing Orders 87 and that it would also be voted upon and passed.

SECRETARY-GENERAL.- The Committee of the Whole Parliament on:

A Bill to enact to make provision for the National Flag of the Republic of Fiji and to provide for its use and protection, Bill No. 4 of 2015.

In Committee:

Clause 1:

MADAM CHAIRPERSON.- Does any Member wish to speak on this Bill?



HON. ROKO T.T.S. DRAUNIDALO.- Just a point of order; as a matter of practice, I have been asked to just seek clarification from the Secretary-General when you do Chair a Committee of the House, I believe that you remain in your Chair, Madam Speaker.

MADAM CHAIRPERSON.- I have the option of remaining in the Chair or come down and Chair this Committee of the House because I am no longer Speaker now, I am just Chair of the Committee of the House.

We may continue and I note that there are no comments from the floor. So, I now put the question that Clause 1 stands part of the Bill. Does any Member oppose the motion?

HON. MEMBER.- (Inaudible)

MADAM CHAIRPERSON.- You oppose?

HON. MEMBER.- Yes.

MADAM CHAIRPERSON.- Then the Parliament will have to vote for that clause.

Question put.

<u>Votes Cast:</u>		
Ayes	-	28
Nos	-	14
Not Voted	-	8

Clause 1 agreed to.

Clause 2:

MADAM CHAIRPERSON.- I call on any member who would like to comment on Clause 2.

(Pause)

There being no comments, I now put the question that Clause 2 stands part of the Bill. Does anyone oppose Clause 2?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

<u>Votes Cast:</u>		
Ayes	-	28
Nos	-	14
Not Voted	-	8

Clause 2 agreed to.

Clause 3:

MADAM CHAIRPERSON.- I call on any Member who wishes to speak on Clause 3. Does anyone oppose this Clause?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

Votes Cast:

Ayes	-	28
Noes	-	14
Not Voted	-	8

Clause 3 agreed to.

Clause 4:

MADAM CHAIRPERSON.- Does any member wishes to speak on Clause 4? Does anyone oppose Clause 4?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

Votes Cast:

Ayes	-	28
Nos	-	14
Not Voted	-	8

Clause 4 agreed to.

Clause 5:

MADAM CHAIRPERSON.- Does any Member wishes to speak on Clause 5? Therefore the parliament will now vote on Clause 5 if anyone opposes?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

Votes Cast:

Ayes	-	28
Noes	-	14
Not Voted	-	8

Clause 5 agreed to.

Clause 6:

MADAM CHAIRPERSON.- Any Member wishes to comment on Clause 6? There being no comments, any opposition?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

<u>Votes Cast:</u>		
Ayes	-	28
Noes	-	14
Not Voted	-	8

Clause 6 agreed to.

Clause 7:

MADAM CHAIRPERSON.- Does any member wish to speak on Clause 7? Does anyone oppose Clause 7?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

<u>Votes Cast:</u>		
Ayes	-	28
Noes	-	14
Not Voted	-	8

Clause 7 agreed to.

Clause 8:

MADAM CHAIRPERSON.- Does anyone wish to speak on Clause 8? Anyone opposes Clause 8?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

<u>Votes Cast:</u>		
Ayes	-	28
Noes	-	14
Not Voted	-	8

Clause 8 agreed to.

Clause 9:

MADAM CHAIRPERSON.- Does any Member wishes to speak on Clause 9?

HON. ROKO T.T.S. DRAUNIDALO.- Madam Chair, this Clause 9, like 7 and 8, to do all these things is seen in some countries as a form of dissent, free countries and it is a form of patriotism to be able to dissent with the Government of the day. It is part of people's human rights to freedom of speech and freedom of political thought, to allow people to have that freedom to express themselves in that way, Madam Speaker. And that is all I want to say in that if we passed these provisions, we are restricting fundamental human rights and we are not providing proper outlets for dissent; one that is peaceful and open and then they go underground.

MADAM CHAIRPERSON.- Can I ask the honourable Attorney General to speak on the motion?

HON. A. SAYED-KHAIYUM.- Thank you Madam Chair, burning your flag is not a fundamental right. If you may disagree with a Government policy, it does not mean you go and burn the flag. We should always be proud of the flag, Madam Chair. The Honourable Draunidalo earlier on today mentioned about how we should follow the democratic principles laid out in Australia and New Zealand, let me read out the Flag Emblems and Names Protection Act 1981 of New Zealand. In the New Zealand Act, which she cited as being a democratic ideal, says:

“Article 1. Offences involving New Zealand Flag

- (1) Every person commits an offence against this Act which,—
  - (a) without lawful authority, alters the New Zealand Flag by the placement thereon of any letter, emblem, or representation:
  - (b) in or within view of any public place, uses, displays, destroys, or damages the New Zealand Flag in any manner with the intention of dishonouring it.”

This is in New Zealand, Madam Speaker.

Also, Madam Chair, in New Zealand, and I know some people, I was going to say “comrades” of Honourable Draunidalo have given various speeches to Australian Broadcasting Corporation (ABC), et cetera, talking about the burden of proof and the reversal of that. In International Human Rights Law, that is also acceptable.

In New Zealand, Madam Chair, it says that “in any prosecution for an offence against this section, the onus of proving that any alteration in the New Zealand flag was lawfully authorised shall be on the defendant, on the defendant, and this is exactly what it provides, Madam Chair. And the Chairman of the Committee who has, through his Committee, provided a number of alterations to this Bill when it was presented or tabled on the floor of this House on 14<sup>th</sup> May somewhat ironically, Madam Chair, and those amendments now in fact are a much closer reflection of what is in the New Zealand law.

So, Madam Chair, it is not something peculiar to Fiji. In fact, other countries also have this, but I am just citing the New Zealand law.

MADAM CHAIRPERSON.- The Honourable Sudhakar.

HON. A. SUDHAKAR.- Madam Chair, just to add on to what the Honourable and learned Attorney-General has submitted on. When my Committee was looking at this particular clause of the Bill, we looked at various countries around the world to have a point of reference and see how other

countries deal with such incidence. This particular section, having an offence to people who damage, deface the flag is nothing unique to Fiji. In fact, we had looked at many other countries and I will give some short examples.

In the United States, which is seen as the champion of democracy around the world, in their 1968 legislation, Public Law stated that “whoever knowingly cast contempt upon any flag of the United States by publicly mutilating, defacing, defiling, burning, trampling upon, it shall be fined not more than \$1,000 or imprisoned for not more than one year.” The United States said that particular provision.

Our immediate Pacific neighbour, Kiribati, has a similar provision. Section 12 of the Kiribati National Identity Act which states and I quote: “Desecration of flag carries a three months’ sentence and a fine of \$200 albeit small fine”, but there is a fine.

There are other examples of countries, for example, China, there is a three years’ imprisonment and a cash penalty for defacing, obscuring the flag. Hong Kong, again three years’ imprisonment and \$6,000 fine. France, six months’ imprisonment and a fine. Also Germany, a three year fine, three years’ imprisonment and a monetary fine. India, which is the largest democracy in the world, there is also a three years’ imprisonment for desecration of flag.

MADAM CHAIRPERSON.- Honourable Sudhakar, I think we have enough justification.

HON. A. SUDHAKAR.- Yes. These are some of the examples, Madam that I was trying to highlight that this is not a unique provision for clarification.

MADAM CHAIRPERSON.- I still invite more comments, if any, on this particular clause.

HON. ROKO T.T.S. DRAUNIDALO.- May I?

MADAM CHAIRPERSON.- Yes, you may.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Chairperson, I think it is quite misleading to say that those provisions are similar to what we have here. What the Honourable and learned Attorney-General just read out from the New Zealand Act, for example, did I hear him use the word “intention”? Intention to dishonour was part of the provision that he read.

Of course, the burden has to fall on the defendant, who else can prove that he had the intention to do or not do, Madam Chairperson? In this case, if we go to clause 15, which is General Offences and Penalties, no talk of intention or knowingly, was there a word used for other provisions from other countries?

As I said in my previous remark, this issue of expressing oneself, I would never do it myself, but people do sometimes want to express their anger in this way. If they intentionally do it to dishonour or knowingly do it to dishonour, then that is a different matter. If they prove themselves to be doing it, for the sake of patriotism, but that liberty is not here. This one is almost a strict liability offence, because it just goes on for clause 15 “Any person who contravenes or fails to comply with any provision under this Act commits an offence...” There is nothing about whether the person knowingly intends to bring the Government into disrepute, bring the flag into disrepute, dishonour the flag, dishonour the coat of arms, dishonour the President, none of that, Madam Chair. There is no intention or knowingly, it is just a strict liability. It almost even makes section 16 almost meaningless in that context.

A fundamental human right in some places, they do it, but they have got to make sure they show the courts that when there is an intention of knowingly dishonouring, then that is where they are caught by the fines and penalties, but the doing of the thing itself is not *per se* the offence, as we have here. My very humble submission on that, Madam Chair.

HON. A. SAYED-KHAIYUM.- Madam Chair, if I could provide a point of clarification. The New Zealand law does talk about intention also. It talks about intention, so similarly they also have intention.

MADAM CHAIRPERSON.- Thank you, are there any more inputs to the debate?

Now, the Parliament will vote on the clause – does anyone oppose the motion?

HON. MEMBERS.- Yes.

Question put.

<u>Votes cast:</u>		
Ayes	-	27
Noes	-	14
Not Voted	-	9

Clause 9 agreed to.

Clause 10:

MADAM CHAIRPERSON.- Honourable Members, there being no comments on Clause 10.

Question put.

<u>Votes cast:</u>	
Ayes:	27
Noes:	14
Not Voted:	9

Clause 10 agreed to.

Clause 11:

MADAM CHAIRPERSON.- Does anyone wants to speak on that clause?

There being none, the Parliament will now vote on Clause 11.

Question put.

<u>Votes Cast:</u>		
Ayes	-	27
Noes	-	14
Not Voted	-	9

Clause 11 agreed to.

Clause 12:

MADAM CHAIRPERSON.- There have been no comments so the Parliament will vote on Clause 12, the question is that clause 12 stands part of the Bill.

Question put.

Votes Cast:

Ayes	-	26
Noes	-	14
Not Voted	-	10

Clause 12 agreed to.

Clause 13

MADAM CHAIRPERSON.- There have been no comments then the Parliamentary will now vote on Clause 13, that question..

HON. P. SINGH.- On Clause 13, this section a lot of creditable claim or other flags so and saying belonging to the discipline forces for national laws state purposes. Does that include religious flags?

HON. A. SAYED-KHAIYUM.- Madam Chair, it is national and State purposes.

MADAM CHAIRPERSON.- Thank you. Parliament will now vote on Clause 13, the question is that Clause 13 stands part of the Bill.

Question put.

Votes Cast:

Ayes	-	27
Noes	-	14
Not Voted	-	9

Clause 13 agreed to.

Clause 14:

MADAM CHAIRPERSON.- I give the floor to the honourable Roko Tupou Draunidalo.

HON. ROKO. T.T.S DRAUNIDALO.- Thank you, Madam Chair. Clause 14, Madam Chair, it seems to want to restrict the powers of this House in making laws and that is something in Constitutional law which is not permitted.

The Houses of Parliament have always had their wide powers through enact whatever legislation the Parliament wishes to. The only thing that can curtail it is the Supreme law of the land which is the Constitution, and that is why there is requirement in amending the Constitution that we go through this process. This Constitutional requirement has now been brought down to a simple legislation which is, Madam Chair, it just not allowed.

No Parliament can ever bind another Parliament in this way. Of course, we can pass a law here with a simple majority of 26 and a future Parliament can come with 27 and repeal that law, because that future Parliament when we are all gone, has the same power as we do which is guaranteed in this Constitution, which the honourable and learned Attorney-General has been talking to us a lot about and that is in Section 46, Madam Chair, the Legislative authority and power of Parliament. That power, Madam Chair, again I am not going deeply into the history of where that power comes from, so that no Government say if the next Government comes and is different and they pass the simple legislation which try to prohibit a future Parliament, from passing any law that too, is not to be allowed, Madam Chair.

This section and this procedure set out here, it is from the Constitutional provision relating to the amendment of the Constitution. That is okay because this book is the Supreme law of the land, but no way can Parliament be allowed to change or restrict a power of any future Parliament to restrict it, to changing the laws in this regard in this manner. We just do not have that power and I know the honourable and learned Attorney-General has in previous occasions invited people to challenge that in court but, Madam Chair, why we are here now as lawmakers, could we just take that on board and I would ask all the lawyers on the other side if they could please talk about this power of Parliament and the lack of our powers to bind the future Parliament.

MADAM CHAIRPERSON.- Thank you, honourable and learned Attorney-General.

HON. A. SAYED-KHAIYUM.- Madam Chair, suffice to say, the honourable Draunidalo, the issues she raised she actually answered it herself. Any future Parliament can come and actually change this law which includes the provisions in Section 14. So, we are not binding the future Parliaments, we are not, Madam Chair. The fact is that, if a new Government came in and said we do not like Section 14, they can actually get rid of Section 14 and in its place put another Section 14 that will then apply, Madam Chair. It is simple as that.

We are not limiting the power of the next Parliament, Madam Chair, it the same thing, in the same way, for example, we have got provisions regarding VAT. If you have a Parliament that says “we must charge VAT”, it is obviously, going forward. If a new Parliament comes in tomorrow, Government even this side of the House decides no longer want to have VAT, it can get rid of VAT and in its place put saves tax or consumption tax, whatever the case may be, it is always simple majority.

Madam Chair, the point is that, we also have various other provisions, for example in the Constitution too, that restricts. The point is, Madam Chair, that you are allowed the liberty and this does not, in any way, fetter the powers of Parliament, Madam Chair, that is our submission and we believe that it does serve the purpose that it is intended for.

MADAM CHAIRPERSON.- Thank you, just clarify, just one question Honourable Attorney-General. This means that a new Parliament comes in and has a majority, that the new Parliament has the power to make new laws and to revoke old laws?

HON. A. SAYED-KHAIYUM.- Yes, Madam Chair.

MADAM CHAIRPERSON.- Absolutely that is clear.

HON. ROKO. T.T.S DRAUNIDALO.- Madam Chair, if you see Section 14, it requires a three-quarter majority, I believe. So any new Government say; “27 members” they cannot come and pass legislation as you had expect any Government to be able to. Because we have now bound and what I am saying is, Madam Chair, yes, we can pass this and say that you cannot change the flag by doing various



other things but you cannot say, you cannot pass a flag unless you move it by three-quarter majority in a referendum.

I think this provision properly belongs in the Constitution, it really does, if anything that can bind this House, it is this. That if it is in here, then yes. Whether it this Government, the next Government - 20 years' time, it cannot because it is here, this is where you entrenched laws, Madam Chair. We cannot entrench it in normal legislation and it is entrenching because it is requiring special things, three-quarter majority then a referendum. That, Madam Chair, is binding us, if the Government were to come in next one or in 20 years with 26, it cannot change this, as you can see because it requires that and that is just not allowed, Madam Chair.

MADAM CHAIRPERSON.- I think the Honourable Attorney-General had answered that question, so any other comment on those particular clauses? Honourable Karavaki.

HON. S.D. KARAVAKI.- Madam Chair, if I can just ask the Honourable Attorney-General, would it be possible if the next Government comes in with the simple majority and totally wants to remove Section 14; can they do that?

HON. A. SAYED-KHAIYUM.- Madam Chair, what I had said it does not restrict the power of Parliament per say, to remove this particular provision. The provisions are laid down in this law. I accept the fact that provision laid down in this law, it does not restrict the right of Parliament per say. Yes, it says certain numbers that you need to have but it does not per say, who knows, you may return with two-third majority in Parliament, you can then do that.

MADAM CHAIRPERSON.- Honourable Dr. Biman Prasad.

Madam Speaker, just a layman's observation, I cannot get the law out of this but what the honourable and learned Attorney-General said is that, if we pass Clause 14 today which includes subclauses 1, 2, 3, 4, 5, 6, 7, and subclauses 4 to 7 actually talks about how to change the flag, if the next Government comes in and say; "We want to change Clause 14" which will take away the whole Clause, that means Parliament will not have to go through this process to change the flag that would have been existing at that point in time. Is that what he said which is the intention of the law?

HON. A. SAYED-KHAIYUM.- Madam Chairperson, I have answered the question. The answer lies within Clause 14 itself, you must go through this process to be able to alter it. That is what I am saying, the process is laid out there. You do need those numbers to alter it. That is my point, you can do that.

Madam Chairperson, the reality is that, for example, some of the countries that are dealing with flag changes actually have referendums, even though it may not be stated in their Constitution, like in Australia and New Zealand where they do not even have a written Constitution. However, they had set the threshold to such an extent that they need to have that approval through a referendum. That is precisely what we are doing but the flag is an important symbol, therefore, we have laid out the processes under section 14, in order to change the flag, we need to be able to meet the threshold and it is a high threshold.

In the same way, Madam Chairperson, there are constitutional provisions, for example, if one wants to change the Speaker, you need to have two-thirds of the House - needs to agree to change the Speaker, once the Speaker is appointed. In the same way, if you want to alter the Constitution, I agree this is not the Constitution but this law does set in place a mechanism through which you can change future flags, and that is a very high threshold.

The reason why high threshold has been put in place, Madam Chairperson, is because the flag is something that you need to be able to consider in a lot more detail, to be able to bring about these changes.

For example, you need to be able to have consultations, for example, as we have had for the past seven months. So, that, Madam Speaker, is what the intention of this is. The threshold is high, you may need bipartisan support or if a party is lucky and if they have the threshold of three-quarters of Parliament, then they can change it.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Chairperson, I think I will go back to what the honourable and learned Attorney General said that I did answer my own question and I was thinking out loud because I was confronted with the Bill before lunch. I did not really have time to go through it but I think the gist of it and what the Honourable Attorney-General is trying to say but he could not say it directly or he did say it directly and I did not understand him was, that the future government that did not agree with this method of change, could by simple majority bring an Act to repeal it. Once that is repealed, the flag can be changed in how ever way a new law deems, unless, of course, it is entrenched in here. So, I am not going to worry about it.

HON. A. SAYED-KHAIYUM.- Madam Chairperson, I stand by what I've just said. I said in order to change the flag. For clarification sake, let me, because I do not want this all convoluted, for clarity sake let me read out section 14 for those who may not have read it, and I quote:

- “14. (1) Where the Flag has been declared in accordance with section 4, that Flag may only be amended or altered in accordance with the procedures prescribed in this section and may not be amended or altered in any other way.
- (2) An amendment or alteration of the Flag must be expressed as a Bill for an Act to amend this Act.
- (3) A Bill under subsection (2) must be passed by Parliament in accordance with the following procedure –
- (a) the Bill is read three times in Parliament;
- (b) at the second and third readings, it is supported by the votes of at least three quarters of the members of Parliament;
- (c) an interval of at least 30 days elapses between the second and third readings and each of those readings is preceded by full opportunity for debate; and
- (d) the third reading of the Bill in Parliament does not take place until after the relevant committee of Parliament has reported on the Bill to Parliament.
- (4) If a Bill is passed by Parliament in accordance with subsection (3), then the Speaker shall notify the President accordingly, who shall then refer the Bill to the Electoral Commission, for the Electoral Commission to conduct a referendum for all registered voters in Fiji to vote on the Bill.
- (5) The referendum for the purposes of subsection (4) shall be conducted by the Electoral Commission in such manner as prescribed by written law.

- (6) The Electoral Commission shall, immediately after the referendum, notify the President of the outcome and shall publish the outcome of the referendum in the media.
- (7) If the outcome of the referendum is that three-quarters of the total number of the registered voters have voted in favour of the Bill, then the President must assent to the Bill, which shall come into force on the date of the Presidential assent or on such other date as prescribed in the Bill.”

This is in relation to section 14. This is the procedure that has been laid out. I am not giving legal advice in respect of any tactical strategy that you may have, I am talking about section 14. If we have agreement on that, that is why I am reading out.

HON. S.D. KARAVAKI.- That is the very basis why I asked that clarification.

My understanding, Madam Chairperson, if a new government comes in and wants to adopt this when it becomes an Act, and wants to change the flag according to the provision here, it has no choice but to follow this. However, if it does not want to follow this and it wants to delete this Clause or repeal the whole Act, you can do that by certain majority but if he wants to adopt this then it must follow this process, that is why I ask the clarification from the Attorney General himself. That is my understanding of the provision itself.

HON. DR. B.C. PRASAD.- While we are talking about this, sometimes the importance of the Bill when we are discussing it and its impact, could be related to when it comes into force. So, I would like to ask the honourable and learned Attorney General to tell us when this Bill is likely to come into force?

HON. A. SAYED-KHAIYUM.- Madam Chairperson, that has always been the prerogative of the minister responsible. As you will see in Clause 1(2), it says and I quote:

“1. (2) This Act shall come into force on a date appointed by the Minister by notice in the Gazette.”

The Minister responsible is the Prime Minister of Fiji, and he will decide on what date it comes into force. It is the prerogative of the Executive.

MADAM CHAIRPERSON.- Honourable Members, Parliament will now vote on Clause 14.

Question put.

<u>Votes Cast</u>		
Ayes	-	27
Noes	-	13
Not Voted	-	10

Clause 14 agreed to.

Clause 15:

MADAM CHAIRPERSON.- Does any Member wants to speak on this Clause?

HON. ROKO T.T.S. DRAUNIDALO.- Again, Madam Chairperson, I tie this to those previous Clauses because if you contravene them, this is the penalty on people’s freedom to expression. If we see

Clause 7 – Misuse of the flag, I do not see either knowingly or intentionally there, in Clause 7 (1) or (2). It is in 8 (b) but not in 8 (b), just goes commits an offence, so it is strict liability and then 9 (a), has “intent” and 9 (b) has “knows.” All of that Madam Chairperson, if you do offend in a strict liability manner, as I have already read out which ones do and which ones do not, those fines Madam Chairperson, again on offences like this for expressing your point of view to dissent, I would suggest that is just too heavy.

MADAM CHAIRPERSON.- Thank you, does anyone else want to speak on the floor?

HON. M. VUNIWAQA.- Just on the points that have raised, if we look at Clause 7, it may not use the word intent, but it use a certain words; demean, disrespect, insult the State. The very meanings of these words, bring in intent. Clause 8 again, for the purposes of dishonouring, the natural meaning of that word imports an intent. Again in 9 (b), knows it is reasonably likely to insight or promote violence. Again the meanings of those worlds import intent.

MADAM CHAIRPERSON.- Thank you, any other input; Honourable and learned Attorney-General.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Chairperson, it will help with the interpretation of the courts later.

HON. A. SAYED-KHAIYUM - Madam Chairperson, I think it will be trite of me to try and elucidate any further what the honourable Minister for Lands has said because, when it was raised earlier on, I tried to point about the intention provisions. The others actually speak for themselves but just on the issue of the fines, you will see that the committee has recommended that the fines be reduced and that the sentencing provision be reduced. It has been reduced from \$20,000 originally to \$5,000. It has been reduced from 10 years to 3 years and it is not three years, it is up to 3 years. As you know in our jurisdiction, as far as penalties have been given, it is very, very rare that the full sentence is given. That is why we always have up to 3 years.

Madam Chairperson, I think a lot of feedbacks that we received, a lot of the submissions that were made to the Committee, indeed has been reflected in this amendments. Thank you, Madam Chairperson.

MADAM CHAIRPERSON.- Thank you, I think Parliament will now vote on Clause 15, the question is that Clause 15 stands part of the Bill, does any member oppose the motion?

Question put.

Votes Cast:

Ayes - 27  
Noes - 11  
Not voted - 12

Clause 15 is agreed to.

Clause 16:

MADAM CHAIRPERSON.- Clause 16 is open for debate.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Chairperson, sorry I was trying to attract the attention of the honourable Mr. Karavaki, about the burden of proof, I have heard the Honourable and learned Attorney-General saying earlier that in other jurisdictions, this has also been the case where it falls on the Accused to prove his/her innocence. I would just say that, it would be much, much more preferable

if the State were to continue with its usual burden of proving the unreasonable doubt that certain offences have been committed. Again, falling on the sides of human rights.

MADAM CHAIRPERSON.- Thank you, any other comments; Honourable and learned Attorney-General.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Chairperson, I would like to comment on that because I think this is something that has been mooted quite a lot in the public space. Madam Chairperson, I want to again reiterate what I have said, it is not necessarily contrary to international human rights law to have the burden of proof on the defendant.

In Fiji, already, Madam Chairperson, we have laws where the burden of proof is on the defendant. Section 32 of Cap 114 of the Illicit Drugs Control, let me read it out to you.

“Where in any prosecution under this Act, it is proved that any illicit drug, controlled chemical or controlled equipment was on or in any premises, craft, vehicle or animal under the control of the accused, it shall be presumed until the contrary is proved that the accused was in possession of such an illicit drug, controlled chemical or controlled equipment. If any prosecution for an offence against this Act, it is proved that a sample which is taken by an illicit drug or controlled chemical processes, particular properties, it is presumed that is such illicit drug control chemical possesses the same properties.”

The Prevention of Bribery Promulgation Madam Chairperson, Section 10 (2), with regard to the possession of unexplained property by those holding public offices, states, that in the absence of evidence to the contrary, that any property in the possession of an accused person that allows that person to maintain a standard of living that is about his or her emoluments, or is in control of an unreasonable large amount of pecuniary resources will be presumed to have obtained those resources of property illegally through bribes or other illegal dealings.

Madam Chairperson the Copyright Act, 1999, Section 121, provides for the presumption that a person who has a piece of work or object as a CD or makes copies of a particular copyright or has the object in his/ her possession when he/she knows or reasonably ought to know that the object is used to make infringing copies for the sale or hire is presumption to have committed a copyright offence.

Crimes Decree, Section 151, with regard to offences which relates to corruption and abuse of office states that unless the contrary is proved, it is proved that any money, gift, benefit, advantage or other consideration being paid to or given to or received by public officials by from any person or agent of a person, the money, gift, benefit, advantage of consideration shall be deemed to have been paid or given or received without lawful authority or reasonable excuse unless the contrary is proved by the defence on a balance of probabilities.

Madam Chairperson, the point being that there are many laws, some of them which I have highlighted in Fiji that does exist where the burden of proof is placed in the defendant, and in other countries and it is not contrary to international human rights laws. Obviously, as it states and I do not actually have here with me but again I wanted to just for the satisfaction of Honourable Roko Tupou Draunidalo get something from Australia because she highlighted Australia today. If you go to their website of the Australian Attorney-General's Office, you will also find print outs where it talks about the burden of proof and how if it is reversed, it is not necessarily contrary to international human rights law. Thank you, Madam Chairperson.

MADAM CHAIRPERSON.- Thank you. Honourable Dr. Biman Prasad.

HON. DR. B.C. PRASAD.- Madam Chairperson, just a small clarification, I think the honourable and learned Attorney-General's example is understandable. I think those relate to really tangible issues for example; if you own a house and because of unexplained wealth, I mean you have it there, so the burden of proof will actually rest on you to prove that you actually got that house through your own effort and all that. I think this is slightly different. I mean if you have an individual who by accident, for example and he's charged in the interpretation of the law in layman's language then obviously that person will have the burden to prove that he actually did not intend to insult or defame or destroy the flag as part of a crime against the State. I think, there is a difference between where the burden of proof is much more prominent and makes sense than what might be the case in this particular case, and that is why I think the whole issue of human rights may be an important one.

HON. A. SAYED-KHAIYUM.- Madam Chair, I thank the honourable Dr. Biman Prasad for that, but again I would like to refer to the comments by the honourable Minister for Lands that you still have to go through a process that has a fairly rigorous test under Clauses 7, 8 and 9, because you have to actually prove or otherwise regarding all those particular offences.

Madam Chair, I have actually found what I was referring to and I can give the website address to this, it is from [www.ag.gov.au](http://www.ag.gov.au) and the section is Rights and Protections Human Rights. It says and I quote: "Some laws commonly called reverse onus provisions shift the burden of proof to the accused or apply a presumption of fact or law operating against the accused."

Under International Human Rights Law, a reverse onus provision will not necessarily violate the presumption of innocence provided that the law is not unreasonable in the circumstances and maintains the rights of the accused. That is what we should be looking at.

The purpose of the reverse onus provision would be important in determining its justification. Such a provision may be justified if the nature of the offence makes it very difficult for the prosecution to prove each element, or if it is clearly more practical for the accused to prove a fact than for the prosecution to disprove it.

Madam Chair, there seems to be this air of assumption that if you would reverse the burden of proof that all the rights of the accused go out the window. No, Madam Chair. You still have to go through the same process. The Constitution is obviously quite clear regarding what rights need to be accorded to the defendant.

HON. S.D. KARAVAKI.- Madam Chair, can I just make a comment. I agree that there are Acts that we have here in Fiji and also internationally, that the burden of proof rests with the defendants, except in Australia. In Australia they have their Act that protects the flag but the difference with Australia, they do not have any offence or any penalty. They do not have any penalty, if anyone does anything to the flag, they do not have any provision to penalise that person. They had tried to put it into the House in Australia but it has not gone through; that is my understanding up to now, different in New Zealand and with other jurisdictions. In Australia, they do not have any penalty for any act that is done to the flag.

HON. P. SINGH.- Madam Chair, on section 16, the burden of proof, I refer to Clause 6(3) where it says, and I quote:

"The Flag whether displayed on public or private premise, shall be displayed in a place of prominence."

Madam Chair, what does that mean because if the Government decides, it is not a place of prominence, we are guilty until we are proven otherwise. This Bill has a list of do's and don'ts. This reversal of burden of proof is probably the most absurd and despotic part of this new law. It goes against

the right of every citizen of a civilised country. A good law requires the Government before it puts you in jail or fines you, to prove to a court that it is what you deserve. But under this law, it is the people who must prove to a court that we deserve to stay out of jail. So, if I display the new flag in my home and the Government says that it is not in a place of prominence, how do we defend that? What is a place of prominence? This reversal of burden of proof, I will be charged and I will have to defend and prove that this is not a place of prominence. My home is a place of prominence.

HON. A. SAYED-KHAIYUM.- Madam Chair, I really urge Honourable Prem Singh to read Clause 6 very carefully and compare Clause 6 with Clauses 7, 8 and 9. Clause 7 says, if you do XYZ, you commit an offence. Clause 8 says, if you do XYZ, you commit an offence. Clause 9 says, if you XYZ, you commit an offence. Does clause 6 say you commit an offence? It is a rhetorical question, it does not. It is not an offence provision, so please, it just simply sets out some rules. You cannot be charged for that. The law is not stupid.

HON. P. SINGH.- I did not say that.

HON. A. SAYED-KHAIYUM.- You are implying that.

I apologise, Madam Chairperson, if I can go through you, you said that if you do not display in a place of prominence, you will then be in guilty of an offence; you will not be. That is what I am trying to tell you. It is not an offence provision.

Honourable Karavaki is absolutely right. Australia does not have offence provision but many other countries do including USA and New Zealand. Of course, Australia is not the only benchmark of all standards of behaviour.

Madam Chair, the Honourable Karavaki did say that there was a Bill and I do have a copy of the Bill. It has not been passed by the Australian Parliament, it does talk about the protection of Australian flags; Desecration of the Flag Bill. I do not know what the status of it in the Australian system, but it was drafted as a Bill.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Chair, just one last comment on this.

The reversal of burden of proof, perhaps if I could just put it in simple terms for those who are listening in from the public, what happens in a usual offence situation is the State has to prove that you or I have committed an offence beyond reasonable doubt – very high standard. If any doubt is whatsoever raised by any Defence Counsel, that is it, the case is thrown out. But in this case, the burden falls on the accused and yes, I agree with the Honourable and learned Attorney-General on one thing, we are not going to hold Australia up in terms of these laws. They have been bringing out these anti-terrorism laws, so too in the United States of America where they do not care too much about human rights. They are now doing such a great job in Nauru, Madam Chair, so why would we be relying on their explanations of reversal of burden to make it look nice to us?

All I am saying is, it is the usual case that the State proves beyond reasonable doubt as it is obliged to do, and then all the accused persons have to do through his/her lawyer or by himself/herself is to raise a doubt which will be enough for a defence.

But here, Madam Chair, that burden is no longer with the prosecution, it shifts to the accused which really turns our criminal system on its head. And again, I say, Madam Chair, just because Australia has been passing these anti-terrorism laws and other anti-human rights laws here and wherever they go to in Nauru, it does not mean that they are the people that we have to rely on to check whether our legislation is good or not, especially on human rights.

HON. M. VUNIWAQA.- Madam Chair, I would just like to contribute to this discussion on burden of proof. We are talking about our national flag, if there is a law that this Parliament would pass, reversing the burden of proof, this is it; protection of the national flag.

Our copyright laws have a reversal of burden of proof, I do not hear much dispute about that. We are talking about our national flag and given the history of this country, it is important that we have a provision like this.

HON. A. SAYED-KHAIYUM.-Madam Chair, I am glad the Honourable Draunidalo has now got a slightly realistic view of Australia as opposed to the one she had this morning. I am not saying we are following Australia. I quoted from the Australian Attorney-General's website where they discussed international law pertaining to human rights. There is a difference. An international human rights law does allow for that, not just in Australia but other countries also.

Madam Chairperson, I think one of the points that is also being lost is that, there is only talk about beyond reasonable doubt in the court of law, but there are a lot of things that happens before a person is brought to court. The police, the DPP, they assess the evidence, they see whether the actual act or commissioning of an act actually fulfils the requirements that is set under the offence provisions in the same way they assess evidence in other supposed criminal acts on a daily basis.

So, just because there is particular provision that says that a person can be charged for x, y, z, it does not mean that they will go around and simply charging people. If that was the case, Madam Chairperson, we would have prosecuted and shut down all the people carrying out privacy infringements. It is still very difficult to prosecute. If that was the case, we would have seen by now, the burden of proof were shifted regarding our war on drugs would have been very easy to prosecute everyone. You can ask any prosecutor today under the Illicit Drugs Act, whether it is very easy for them just because the burden of proof is now on the defendant. It is not, but the circumstances warrants such a position to bring a level playing field.

Madam Chairperson, it is important to understand that. They are only discussing one part of the criminal justice system. The criminal justice system actually starts from evidence, complaints, assessment of evidence, those people who have done criminal laws will understand that. Madam Chairperson, there are various tests you need to go through.

I think, with due respect, Madam Chairperson, probably the discussion is quite a lot and if we can move on to vote on the clause.

MADAM CHAIRPERSON.- Thank you. Parliament will now vote on clause 16.

Question put.

Votes Cast:

Ayes	-	28
Noes	-	14
Not voted	-	8

Clause 16 agreed to.

Clause 17:



MADAM CHAIRPERSON.- Do you have any comments on clause 17? There being no comments, Parliament will now vote on clause 17.

Question put.

Votes Cast:

Ayes	-	28
Noes	-	13
Not voted	-	9

Clause 17 agreed to.

Clause 18:

MADAM CHAIRPERSON.- Does anyone has any comments on clause 18?

I give the floor to the Honourable Roko Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Again, Madam Chairperson, this is a transitional provision and it is another way of restricting freedom of expression. If we have a new flag, fine, we do not dishonour it, we do not desecrate it, but why restrict people from expressing honour or appreciation for what is embodied in what may be the former flag? If that flag, Madam Speaker,(behind you) becomes the former flag, why restrict people if we are going to have a new flag and the freedom to express their love for that flag?

People may have some association which is special with that flag, Madam Chairperson, for whatever reason. They were born and grew up with that flag, they love that flag, they waved it so many times at the Hong Kong Sevens, they associated with growing up, their history, why restrict that, Madam Chairperson, it is just a form of expression? Why turn it into an offence if we are to do it and do not comply with this provision?

Again, even if the majority of this House dictates that we are going to have a new flag, why can we not be allowed to express ourselves and walk around with T-shirts that have those emblems, to show that we appreciate what it stood for?

If we have a new flag under this, we cannot desecrate it, dishonour it, fine. It is not something I would promote, Madam Speaker. That was a freedom of expression issue I raised already but why go further and do not want that beautiful flag behind you not to be seen at all.

MADAM CHAIRPERSON.- Thank you. Does anyone else wants to comment on that comment on that? Honourable Sudhakar.

HON. A. SUDHAKAR.- Madam Chairperson, I would like to just clarify the issue that was brought up and we discussed this issue as well at the committee level.

For the benefit of the Honourable Roko Tupou Draunidalo, the whole context of clause 18, it depicts the commercial purpose. What it says is, if you read carefully “any person using the form of flag at the commencement of this Act in any trademark or logo.”

Common people do not use that in trade mark or logo, it is for business purpose, for advertising purpose. The ordinary person on the street who is watching the Hong Kong Sevens, taking the Fiji Flag there, is not for advertising purpose. Then it says “manufacturing or production purpose”. The purpose of that is, and if I may refer to subclause (2), it says “any person who contravenes subsection (1) commits an offence. And then it follows on, “notwithstanding subsection (1)...”, so it all refers back to subsection (1) “...commits an offence if he has any item or attire which depicts the former flag may continue to use such an item...” “Any stock existing prior to the commencement of this Act which contains merchandise depicting the former flag may sell such stock until it is exhausted.” So it all refers back to the commercial purpose, the trade of it. A person on the street having the former flag in his house, does not offend this section. It is only geared towards a commercial purpose.

MADAM CHAIRPERSON.- Anyone else who wants to comment, please stand up. Honourable and learned Attorney-General.

HON. A. SAYED-KHAIYUM.- Madam Chairperson, I cannot see what the Honourable Draunidalo is referring to in clause 18 regarding freedom of expression. It does say, as the Honourable Chair has highlighted of the committee.

Clause 18(1) is about the commercial purpose, the making of it, the continuing use of it, if you are using the flag. So, FijiFirst will have to change its logo within 31 days if we have a new flag. But what it says though, notwithstanding that, in other words despite that, if I still have any clothes, any items or attire that depicts the former flag, I may continue to use that item. It does not stop me from using it. If I have the flag at the moment and the flag changes, I can still wear the T-shirt. Nothing will stop me. It is not an offence or if I am in a shop and I have all those T-shirts with the old flag or the new flag has come in, I can still sell it until it is exhausted.

Madam Chairperson, that is about a shop, be clever about it. Thank you, Madam Speaker.

MADAM CHAIRPERSON.- There being no other comments, Parliament will now vote on clause 18.

Question put.

Vote Cast:

Ayes	-	28
Noes	-	14
Not voted	-	8

Clause 18 agreed to.

Clause 19:

MADAM CHAIRPERSON.- Does any Member have any comments? There being no comment, the Parliament will now vote on Clause 19.

Question put.

Votes Cast:

Ayes	-	28
Noes	-	12
Not voted	-	10

Clause 19 agreed to.

The House resumed:

MADAM CHAIRPERSON.- That bring us to the end of the Committee of the whole Parliament. Parliament resumes its sitting and I shall now resume my chair.

The Committee of the whole Parliament has agreed to a Bill for an Act to make provision for the National Flag of the Republic of Fiji and to provide for its use and protection (Bill No. 4 of 2015) without amendment by the Committee of the whole.

(Acclamation)

MADAM SPEAKER.- I invite the honourable Attorney General and Minister for Finance, Public Enterprises, Public Service and Communication to have the floor.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I move:

That a Bill for an Act to make provision for the National Flag of the Republic of Fiji to provide for its use and protection (Bill No.4 of 2015), read the third time and do pass.

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, I think the whole of Parliament going into Committee has provided a lot of discussions on the relevant provisions and I would simply say, Madam Speaker, that given the discussions we have had that this law is a good law in respect to protecting the Fijian Flag and that it does set out a number of key provisions which hitherto did not exist in any of our laws.

Madam Speaker, we never had a law regarding the flag of Fiji. We only had, I think three or four clause law on the Coat of Arms which we hope to discuss after this but Fiji has never had a law on the flag and most countries whether they have offences or not have a law on the flag of their country.

So, Madam Speaker ,with that I recommend that we pass this Bill.

MADAM SPEAKER.- Thank you, the Bill is open for debate, if any.

Question put.

Votes Cast:

Ayes	-	27
Noes	-	14
Not voted	-	9

The Bill is agreed to unanimously.

Bill reported without amendment, read a third time and passed. (Act No. of 2015).

(Acclamation)

**SUSPENSION OF STANDING ORDERS**

HON. LT. COL. L.B. SERUIRATU.- Madam Speaker. I move:

That Standing Order 23(1) is suspended, so as to allow the House to complete government business before the House today.

HON. CDR. S.T. KOROILAVESAU.- Madam Chair. I beg to second the motion.

Question put.

Motion agreed to.

### **RESUMPTION OF DEBATE ON THE COAT OF ARMS BILL, 2015**

MADAM SPEAKER.- We move on to the next item on the *Order Paper*. I remind honourable Members that Parliament passed a resolution on 14<sup>th</sup> May 2015 for Parliament to resolve into Committee of the whole of Parliament for the consideration of the Coat of Arms Bill 2015, in accordance with Standing Order 87 and it would also be voted upon and passed.

SECRETARY GENERAL.- The Committee of the Whole Parliament on a Bill for an Act to declare the Coat of Arms of the Republic of Fiji and to make provisions for its use, Bill No.5 of 2015.

In Committee:

HON. A. SAYED-KHAIYUM.- Madam Chairperson, we can go by Parts.

MADAM CHAIR.- In consideration of the lengthy time it may take in putting this into the same processes we did with the last Bill, I suggest that we go by Parts and we can take the whole part at any one time.

PART 1: Clauses 1, 2 and 3:

MADAM CHAIRPERSON.- Do we have any comments on Part 1 - Clauses 1, 2 and 3. I invite the Honourable Tupou Draunidalo to take the floor.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Chair, it is something that I should have said at the outset to the previous Bill now that has just been passed but with this one, before we continue on to the other parts, my only comment would be, I just wish that there could have been further public consultations on this and a referendum.

MADAM SPEAKER.- Does anyone have a comment on that?

PART 1 – Clauses 1, 2 and 3 is still up for debate, if any? There being no further comments, Parliament will now vote on Part I and the question is that Part I stands part of the Bill. Does any Member oppose the motion?

HON. OPPOSITION MEMBERS.- Yes.

Question put.

<u>Votes Cast:</u>		
Ayes	:	27
Noes	:	13
Not Voted	:	10

Part 1 agreed to.

PART 1 - Clauses 1, 2 and 3 agreed to.

PART 2 - Clauses 4, 5, 6, 7, 8, 9 and 10:

MADAM CHAIRPERSON.- Are there any comments on these clauses?

Clause 4(2):

HON. S.D. KARAVAKI.- Madam Chair, my comment on Clause 4, we have a sub-clause 2 there which requires that after the honourable Minister had declared the Coat of Arms, and it says that there shall be no other declaration made. It basically means that once a declaration is made to the Coat of Arms, there should not be any other Coat of Arms made after that. But, Madam Chair, under Clause 10, it has the provision for changes to be made. Therefore if Clause 10 had been complied with for a change to be made, then Clause 4 had stopped the Minister from declaring another one because he has declared one already.

My concern here, Madam Chair, if this clause is a redundant sub-clause, if it can be considered to be deleted because we do not really require that sub-clause to be there. Otherwise it does not make sense when we allow for a change to be made and there is a Clause in there, Madam Chair, that does not facilitate that. That is my comment, Madam Chair.

HON. A. SAYED KHAIYUM.- Just a comment; Honourable Karavaki, please, if you read sub-clause 2 in its entirety, it says: "Once a declaration has been made by the Minister in sub-clause 1, then no further declarations can be made under that same sub-clause." So once his done it under one, you cannot do it anymore, you have to go through 10, that is what it means. We are not having a double- a duplication. It simply says that once the Minister makes a declaration under sub-clause 4(1), two makes it emphatic, he no longer can make any further declaration under the same sub-clause. In other words, what you are saying, it is not true in the sense that he cannot keep on making declaration after declaration, once he has done a declaration under 4(1), that is it. If the Coat of Arms has to be changed again, you need to go through Clause 10.

MADAM CHAIRPERSON.- Thank you for that clarification. Any other comments?

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Chair, again Clause 4 is like the previous Bill which has now become law in terms of once a declaration has been made here, it is under 4(2), no other declaration can be made under that sub-clause and then as the honourable and learned Attorney-General has pointed out, any other changes to the Coat of Arms here, as well as the National Flag in the previous one has to be done in accordance with that provision. I accept that that I had answered my own question. This being an ordinary Bill, an Act of Parliament can be repealed by a simple majority and we are content with that.

HON. S.D. KARAVAKI.- As I said, because there is no other Clause that provides for declaration, only Clause 4(1), you cannot make any declaration under any other clause, you have to use Clause 4(1). Once you have done that, you cannot do anything else because that is what Clause 2 talks about. That is what I am saying because you then cannot try to invoke Clause 10 and say, "No, you still come under Clause 10 and you still use Clause 4(1)" because he has already complied with that. That is what I am talking about. Unless if there was another clause where you can use, because he has talked, you cannot make another declaration under sub-clause 1. This is the only sub-clause you can use for declaration, but anyway, if that is how it is read, we will take opposition.

HON. A. SAYED-KHAIYUM.- Madam Chair, just to provide clarification for the Honourable Karavaki, he should also read Clause 10 which says, and I quote:

“Where the Coat of Arms has been declared in accordance with Section 4, that Coat of Arms may only be amended or altered in accordance with the procedures prescribed in this Section and may not be amended or altered in any other way.”

So once Clause 4 kicks in, a declaration is made, the Minister has no more powers to make any more Coat of Arms.

As soon as he has done that, then Clause 10 kicks in, so it is to be emphatic about it. Just in case the Minister wants to get funny about it, the reality is that, you must say to the Minister that once he has made the declaration of a Coat of Arms, he no longer has any discretionary powers and that is what we are stopping, he no longer has any discretionary powers. The only thing he can do is follow Clause 10.

MADAM CHAIRPERSON.- There being no other comments.

Question put.

<u>Votes Cast:</u>		
Ayes	:	28
Noes	:	14
Not Voted	:	8

PART 2 - Clauses 4, 5, 6, 7, 8, 9 and 10 agreed to.

### PART 3

MADAM CHAIRPERSON .- There being no comments, the question is that PART 3 stands part of the Bill, does any Member oppose the motion?

Question put.

<u>Votes Cast:</u>		
Ayes	:	28
Noes	:	13
Not Voted	:	9

PART 3 is agreed to.

MADAM CHAIRPERSON.- Thank you that brings us to the end of the Committee of the Whole of Parliament.

### The House resumed:

Bill reported without amendments, read a third time and passed. (Act No. of 2015)

MADAM SPEAKER.- I now give the floor to the Honourable Attorney-General and Minister for Finance, Public Enterprises, Public Service and Communications.

HON. A. SAYED-KHAIYUM.- Madam Speaker, Madam Speaker I move:

That the Bill for an act to declare that the Coat of Arms in the Republic of Fiji to make a provision for its use Bill No. 5 of 2015 be read a third time and do pass.

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, I would like to thank all Members of Parliament for the deliberations on this particular Bill. I move that this Bill now be approved by Parliament, given the fact that we are now modernizing the very archaic law pertaining to the Coat of Arms.

Madam Speaker, the Coat of Arms for any country is in fact in many respects, if you see the provisions that is there, the Coat of Arms is a lot more in a way sacrosanct than the flag *per se*. You see this in many of the countries. One of the reasons why, Madam Speaker, is I use sacrosanct not in the sort of more biblical or religious sense but what I mean is because it is the seal of Government. So, whenever you see the Coat of Arms in any documentation, you know it is the official documentation.

That is why it has that very high level position and what this Bill does, Madam Speaker, is actually gives it further meat to the existing law that is in place to ensure that the Coat of Arms actually whatever shape or form the Coat of Arms takes, is actually given that level of respect, and indeed that no one can make commercial use of it, without the approval of the Prime Minister who is the Minister responsible for it.

So I move now Madam Speaker that this Bill be approved by this House.

MADAM SPEAKER.- Thank you the Bill is open for debate.

Question put.

<u>Votes Cast:</u>		
Ayes	-	28
Noes	-	14
Not voted	-	8

The Bill is agreed to unanimously.

Bill reported without amendments, read a third time and passed. (Act No. of 2015)

MADAM SPEAKER.- Thank you all very much for a very healthy robust debate that we had this afternoon. The First Reading of the Bills from the Opposition will now spill onto Friday, now that we have reached 4.30 p.m. which is the end of this sitting.

The Parliament is, therefore, suspended until 9.30 tomorrow morning.

The Parliament adjourned at 4.31 p.m.